

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Bethlehem Mink Farm, Inc.,
Plaintiff

v.

Jurgielewicz Duck Trucking, Inc.,
Edward Jurgielewicz, Joseph Jurgielewicz
and Ted Jurgielewicz, individually and
d/b/a Jurgielewicz Duck Farm,

Defendants and
Third-Party
Plaintiffs

v.

Agway, Inc. and Monsanto Co.,
Third-Party
Defendants

Civil Action
No. 3456

MONSANTO'S ANSWERS TO INTERROGATORIES
PROPOUNDED BY JURGIELEWICZ

1. In what state or states is this defendant incorporated?
A. Delaware.
2. In what state or states, and at what address or addresses does this defendant have its principal place of business and/or principal places of business?
A. 800 North Lindbergh Boulevard, St. Louis, Missouri 63166
3. By what corporate name is this defendant presently known?
A. Monsanto Company.
4. Under what corporate name or names has this defendant done business during each of the last ten calendar years?
A. Monsanto Chemical Company; after April 1964, Monsanto Company.
5. What is the nature of this defendant's business?
A. Chemicals, plastics, electronics, petroleum and man-made fibers.
6. Does this defendant have any wholly owned subsidiary corporations?
A. Yes.
7. Does this defendant, as a practical matter, control any other companies which are not wholly owned by it?
A. The meaning of this question is unclear. However, for purposes of these answers, "subsidiary" shall mean any company in which Monsanto Company, directly or indirectly, owns more than fifty per cent of the stock entitled to vote for the election of directors thereof.

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8. Does this defendant or any such subsidiary or such controlled company manufacture any product comprised, in whole or in part, of substances known generically, or otherwise, as:
- a. Chlorinated hydrocarbons, including DDT, DDE, endrin and dieldrin;
 - A. Neither Monsanto Company nor any of its subsidiaries manufacture DDT, DDE, endrin or dieldrin. However, Monsanto Company and its subsidiaries presently manufacture other chemical products which are included in the broad term "chlorinated hydrocarbons."
 - b. Polychlorinated biphenyls;
 - A. Yes.
 - c. Chlorinated dibenzofurans;
 - A. Neither Monsanto Company nor any of its subsidiaries manufacture chlorinated dibenzofurans.
 - d. Aroclor, and
 - A. Yes.
 - e. Mercury compounds, including methyl and ethyl mercury and metallic and organic mercury?
 - A. Neither Monsanto Company nor any of its subsidiaries manufacture mercury or mercury compounds.
9. If your answer to Interrogatory #8 is in the affirmative, please state by corporate name, address, and place of incorporation, which of said companies manufactures each of said products comprised, in whole or in part, of substances known generically, or otherwise, as:
- a. Chlorinated hydrocarbons, including DDT, DDE, endrin and dieldrin;
 - A. Neither Monsanto Company nor any of its subsidiaries manufacture DDT, DDE, endrin or dieldrin. In addition to Monsanto Company, 800 North Lindbergh Boulevard, St. Louis, Missouri 63166 (incorporated in the State of Delaware), the following subsidiaries of Monsanto Company presently manufacture other chemicals included in the broad term "chlorinated hydrocarbons:"

Monsanto Australia Limited
East Tower, Princes Gate
151 Flinders Street
Melbourne, Victoria 3000
Australia
Place of Incorporation: Melbourne, Australia

Monsanto Europe S. A.
1, Place Madou
1030 Brussels, Belgium
Place of Incorporation: Brussels, Belgium

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Monsanto Chemicals Limited
Monsanto House
10-18 Victoria Street
London SW 1, England
Place of Incorporation: England

b. Polychlorinated biphenyls;

A. In addition to Monsanto Company, 800 North Lindbergh Boulevard, St. Louis, Missouri 63166 (incorporated in the State of Delaware), Monsanto Chemicals Limited, Monsanto House, 10-18 Victoria Street, London SW 1, England (place of incorporation: England) presently manufactures polychlorinated biphenyls.

c. Chlorinated dibenzofurans;

A. Not applicable.

d. Aroclor, and

A. Same as answer to question 9 b above.

e. Mercury compounds, including methyl and ethyl mercury and metallic and organic mercury.

A. Not applicable.

10. Please state the brand name, trade name, or any other name by or under which the defendant or any such subsidiary or company so controlled markets each of its products so comprised, in whole or in part, of substances known generically, or otherwise, as:

a. Chlorinated hydrocarbons, including DDT, DDE, endrin and dieldrin;

A. Neither Monsanto Company nor any of its subsidiaries manufacture DDT, DDE, endrin or dieldrin. See attached Table I for other chlorinated hydrocarbons manufactured by Monsanto Company and its subsidiaries.

b. Polychlorinated biphenyls;

A. See attached Table II for polychlorinated biphenyls manufactured by Monsanto Company and its subsidiaries.

c. Chlorinated dibenzofurans;

A. Not applicable.

d. Aroclor, and

A. See attached Table II for Aroclor manufactured by Monsanto Company and its subsidiaries.

e. Mercury compounds, including methyl and ethyl mercury and metallic and organic mercury.

A. Not applicable.

11. As to each product named in answer to Interrogatory #10 hereof, please state the uses known to or anticipated by this defendant (such subsidiary and/or company so controlled) to which each such product can or may be put.

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- A. Present common uses are set forth in Tables I and II attached.
12. In what states of the United States does this defendant (such subsidiary and/or company so controlled) attempt to prohibit the re-sale or use of any product named in answer to Interrogatory #10 hereof; answering separately as to each such product?
- A. Not relevant because jurisdiction is not being contested.
13. As to each product named in answer to Interrogatory #10 hereof, please state separately whether this defendant (such subsidiary or company so controlled):
- a. Sells such product to customers in New Hampshire,
- b. Sells to other customers, outside of New Hampshire, with any expectation or belief that such product will be resold or used within the State of New Hampshire.
- A. Not relevant because jurisdiction is not being contested.
14. As to each such product named in answer to Interrogatory #10 hereof, please state what reason, if any, this defendant (such subsidiary or company so controlled) has for believing that such product would not be resold or used in New Hampshire.
- A. Not relevant because jurisdiction is not being contested.
15. Please identify by name and address all persons, whether corporate or otherwise, who have made claims against this defendant (such subsidiary or company so controlled) for damages allegedly arising out of the use of any product manufactured by them comprised, in whole or in part, of substances known generically, or otherwise, as polychlorinated biphenyls.
- A. This question is too general and completely unrestricted. It has no limit as to time and is too broad in its request.
16. Please identify by the name of the plaintiff, the name of the defendant, and the name of the court in which such action was brought, all suits against this defendant (such subsidiary and/or company so controlled), which allege damages arising out of the use of any product manufactured by them comprised, in whole or in part, of substances known generically, or otherwise, as polychlorinated biphenyls.
- A. This question is too general and completely unrestricted. It has no limit as to time and is too broad in its request.
17. Please state which of the suits identified in answer to Interrogatory #16 hereof are still pending.
- A. See answers to questions 15 and 16.

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18. Please identify, by name and address, all companies known to this defendant, or believed by this defendant, to be manufacturers of products comprised, in whole or in part, of substances known generically, or otherwise, as polychlorinated biphenyls.
- A. In addition to Monsanto Company and Monsanto Chemicals Limited, the following companies are known to Monsanto Company or believed by Monsanto Company to be present manufacturers of polychlorinated biphenyls:
- Geneva Industries, Inc.
Houston, Texas
- Kuhlman-Progil
77 Rue de Miromesnil
Paris 8e, France
- Bayer
509 Leverkusen-Bayerwerk
Germany
- Caffaro
SpA, Via Privata Uasto
Milano, Italy
- Flix
Spain
- Salvanol
Russia

STATE OF MISSOURI
COUNTY OF ST. LOUIS

C. B. Holleran, being first duly sworn on oath, deposes and says that he is Assistant Secretary of Monsanto Company; that he has read the foregoing answers to interrogatories and subscribes to the same on behalf of Monsanto Company; that the foregoing answers to interrogatories are based on information communicated to him by Monsanto Company personnel and other persons, and information obtained from books and

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records of Monsanto Company, his personal knowledge, and he believes the foregoing answers to interrogatories are true and correct.

MONSANTO COMPANY

By s/ C. B. Holleran
C. B. Holleran
Assistant Secretary

Subscribed and sworn to, before me, this 9th day
of October, 1972, at St Louis County, Mo.

s/ Mary F. Harmer
Notary Public

Dated:

Attorney for Monsanto Company

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TABLE I

<u>TRADE MARK</u>	<u>TRADE NAME</u>	<u>CHEMICAL NAME</u> <u>OF CHLORINATED HYDROCARBON</u>	<u>COMMON USES</u>
		para-Toluenesulfonyl Chloride	Intermediates for dyes, tanning agents, pharmaceuticals, disinfectants, photographic chemicals
Opalon® Ultron® Vyram®		Polyvinyl Chloride	Coatings, foams, films, tubing
Monflex® Monsat® Polvin®		Ethyl Vinyl Chloride	Carpet backing, paper coatings
		ortho-Chlorophenol ortho-Hydroxychlorobenzene 2-Chlorohydroxybenzene	Intermediates for dyes
		para-Chlorophenol para-Hydroxychlorobenzene 4-Chlorohydroxybenzene	Intermediate for dyes, pharmaceuticals, germicides, miticides
		2,4-Dichlorophenol 2,4-dichlorohydrobenzene	Intermediate for dyes, herbicides, germicides, fungicides
		ortho-Nitrochlorobenzene ortho-Chloronitrobenzene	Intermediate for dyes
		para-Nitrochlorobenzene para-Chloronitrobenzene	Intermediate for dyes and pharmaceuticals
		Phthalyl Chloride Phthaloyl Chloride	Plasticizers and resins

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<u>TRADE MARK</u>	<u>TRADE NAME</u>	<u>CHEMICAL NAME OF CHLORINATED HYDROCARBON</u>	<u>COMMON USES</u>
		Vinyl Chloride Monomer	Resins
Tetrathal®		Tetrachlorophthalicanhydride	Flame retardant
Ramrod®		2-Chloro-N-Isopropylacetanilide	Weed control
Radox®		a-Chloro-N-N-diallylaceta- mide	Weed control
Radox T®		a-Chloro-N-N-diallylaceta- mide and trichlorobenzyl chloride	Weed control
Far-Go®		S-2,3,3-Trichloroallyl diisopropylthiocarbamate	Weed control
Vegadex®		2-chloroallyldiethyldithio- carbomate	Weed control
		Ethyl chloroacetate	Intermediate for plasticizers
		parachlorometacresol	Rubber additive
		parachlorometazylol	Rubber additive
		Chlorinated Cresylic acid	Rubber additive
Lasso®	Alachlor	2 Chloro-2',6'-diethyl-N- (methoxy methyl) acetanilide	Weed control

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<u>TRADE MARK</u>	<u>TRADE NAME</u>	<u>CHEMICAL NAME OF CHLORINATED HYDROCARBON</u>	<u>COMMON USES</u>
		3,4 Dichloroaniline (3,4 DCA)	Intermediate for dyes and germicides
		Benzyl Chloride alpha-Chloro toluene	Intermediate for dyes, esters, plasticizers, resins, wetting agents, germicides, rubber accelerators, pharmaceuticals, gasoline additives
		ortho-Dichlorobenzene	Degreasing formulations, spot removers, polishes, insecti- cides, odor control
Santochlor®		para-Dichlorobenzene	Mask odors, mothicide, mildew control, control peach tree borers
		ortho-Chloroaniline ortho-Aminochlorobenzene 2-Chloroaminobenzene	Intermediate for the manu- facture of dyes and insecti- cides
		para-Chloroaniline para-Amino-chlorobenzene 4-Chloro aminobenzene	Intermediate for dyes
	Penta	Pentachlorophenol, technical	Fungicide, termite control, herbicides, bactericide
Santobrite®		Sodium Pentachlorophenate, technical	Preservative, fungicide, herbicide, bactericide
Santophen® 1 Germicide		ortho-benzylparachlorophenol	Germicide

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<u>TRADE MARK</u>	<u>TRADE NAME</u>	<u>CHEMICAL NAME OF CHLORINATED HYDROCARBON</u>	<u>COMMON USES</u>
ACL®		3,4,4' Trichlorocarbanilide (TCC)	Germicide
		Trichloroisocyanuric Acid [[Monotrichloro]tetra-(monoO potassium dichloro)]penta- isocyanurate	Sanitizer, bleach
		Potassium dichloroisocyanurate	
		Sodium dichloroisocyanurate	
		Chlorowax	Coatings, oil additives
Santopoid® S		Tetrachloropropene	Oil Additive
			Intermediate

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TABLE II

<u>TRADE MARK</u>	<u>TRADE NAME</u>	<u>COMMON USES</u>
Aroclor®	Askarel	Dielectric fluid
Capacitor 21®	Askarel	Dielectric fluid
Inerteen®	Askarel	Dielectric fluid
Pyranol®	Askarel	Dielectric fluid
Pydraul®		Industrial hydraulic fluid

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