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Farm Pair Patiently Waits Award In PCB Case

South News Service

OWENDALE — Having lived for years with PCB contamination of their silos and the destruction of their dairy farming operation, Roger and Valerie Haley understand the value of patience.

Nearly 10 months after a jury decided the couple should share with Roger Haley's mother an $810,000 judgment against Monsanto Chemical Co., payment of the judgment is being delayed by the chemical company's appeal of the verdict.

Despite what may be a long wait before they collect on the judgment, the couple finds solace in the knowledge that they won in court.

"When I have a really bad days and get depressed, I think about the trial," Valerie said. "We were successful . . . I wouldn't want to go through it again, though."

The two, in fact, have attained somewhat of a celebrity status since the trial ended last June.

"I had to go down to Marlette one day last fall and I got some parts, and the guy there said, 'Who's this for?' and I said, 'Roger Haley,' and he said, 'Are you him?'" Roger Haley retorted. "I said, 'Yes, how do you know my name?' He said, 'Everybody knows you.'"

Since disbanding their dairy operation eight years ago, the Haleys have begun growing sugar beets, corn and navy beans.

But with reduced cash crop prices on today's market and the huge debt from the PCB contamination, the Haleys say they won't get any windfall from their trial money.

"We had more losses . . . But the jury felt that's what we had coming," Roger said of the verdict.

Monsanto once used PCB in a substance to coat the inside of farm silos throughout the Midwest.

The family claimed in its lawsuit against the chemical company and two silo manufacturers that PCB in two of the farm's silos created huge financial losses from cattle deaths and reduced milk production from 1972 until the herd was disposed of in 1977.

The suit also blamed PCB contamination for a variety of illnesses and depression over the fear of contracting cancer.

Out-of-court settlements were reached in three similar PCB contamination cases between Monsanto and other Huron County farm families. Details of those settlements have not been disclosed.

The cases stem from contamination of silos and farm buildings during the mid-1970s, allegedly caused by the use of PCB which had been mixed into substances used to coat the inside of farm silos.

The silos, two of five located on the Haley farm, are among those to be torn down by the state although no date has been set.

The Haleys sued in 1977, claiming Monsanto and C & B Silo Co. were negligent by failing to warn farmers of the health hazards posed by PCB in silo coatings. The Haleys also accused them of breach of warranty.

A six-woman jury ruled in the family's favor, but found no negligence [illegible] C & B Silo.

After the trial, the judge granted a [illegible] against a third defendant, [illegible] Silo Co., which [illegible] Haley silos, [illegible] Haley's trial attorney, [illegible] In [illegible] contended [illegible] judgment [illegible]

[illegible] by appealing the default judgment in federal court at Grand Rapids. A corporate reorganization in the 1960s split the company's assets and paved the way for C & B Silo to acquire its Charlotte, Mich., plant.

Monsanto lawyers argued during the trial that the company had provided sufficient warnings to its customers about [illegible] hazards. The Haleys claim that the PCB broke down [illegible] by their dairy [illegible] and made its way into the [illegible]

The U.S. Environmental Protection Agency approved a ban on PCB in 1979, after the chemicals were linked to cancer and other health problems in laboratory animals.

MONS 019290