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IMPORTANT PCB SUIT TO BEGIN JAN. 23

For the first time, Monsanto will be defending itself against allegations of personal injury from PCBs in a suit to begin Jan. 23 in Bad Axe, Mich. The plaintiffs are the Haley family of Pigeon, Mich. They claim that a coating containing PCBs used in their concrete dairy silo in the mid-60s contaminated their cattle, milk products and land and harmed their health. The family is seeking $4 million in damages.

The outcome of this jury trial, expected to last eight weeks, could determine how many similar suits are filed. Four other silo suits are now pending in Michigan. Further, state officials have identified some 350 PCB-contamined silos in Michigan.

The paint used to coat these silos was called "Cumar." It was developed in the 1940s by the now defunct Indiana silo company.

Local counsel will represent us at the Haley trial. He will argue that PCBs could not have caused the human or animal health effects claimed by the family. He also will contend that at the time the coating was used, no one was aware of PCBs' environmental persistence.

The trial will attract local media attention, including from Detroit, and may receive broader press coverage. The judge hearing the case has imposed a "gag order" on the parties, preventing them from discussing the case's substance with the press.

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