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Farmer says state warned him

BAD AXE (AP) — A Huron County farmer says the Michigan Department of Agriculture twice told him to stop using feed from his silos after milk from his dairy cattle showed high levels of PCBs.

Roger A. Haley, Owendale also testified Wednesday 300 calves and 85 cows died between 1972 and 1977, when he owned the Owendale dairy farm.

Haley took the stand for the second straight day in the lawsuit against the St. Louis-based Monsanto Co. and two silo builders. Haley and his family claim in their $4.3 million suit Monsanto knew about health hazards from PCBs in a sealant used to coat the inside of two silos on their farm.

Haley, questioned all day Wednesday by his attorney, James Woodworth, testified the farm suffered continuous cattle losses and erratic milk production.

"All along they seemed to be on a roller coaster," he said the milk production. "We never could stabilize it."

Haley said a state agriculture inspector told him to stop feeding his cattle from one silo in September 1973 after raw milk from his herd showed high levels of PCBs, or polychlorinated byphenyls. The milk had a PCB level of 5.34 parts per million, above the maximum allowable level of 2.5 parts per million, Haley told the nine-member jury.

Haley was allowed to use the silo again in February 1975, he said, and started using another silo on the farm the following May. But he said the state ordered him to stop using both silos in 1976 after PCB levels again increased.

The Haley family contends the PCB sealant contaminated their dairy herd and farm products eaten by the family. Monsanto denies it covered up PCB health hazards, and argues neither Haley nor previous owners of the farm were shown to be in poor health.

Woodworth said he plans to call to the stand the state agriculture inspector who told Haley to stop using silage from his silos.

Monsanto marketed PCBs under the name ARO-CLOR 1254, which was used in the silo sealant CUMAR.

The U.S. Environmental Protection Agency banned PCBs in 1977 after tests linked the chemicals to cancer and other health disorders.

BENTON HARBOR-ST. JOE, MICH.
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BENTON HARBOR METROPOLITAN AREA

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Monsanto Denies Coverup

By DAVID FOX
Associated Press Writer

BAD AXE, Mich. (AP) — Lawyers for a family suing Monsanto Chemical Co. claim the chemical giant knew for years of PCB health hazards, but a defense lawyer denies the existence of a coverup.

"Prior to 1970 Monsanto had substantial information about the toxic effect and the environmental contamination being done by PCB," lawyer James Woodworth, representing the family, said Monday at the beginning of a $4.3 million lawsuit against Monsanto and two silo builders.

Owendale farmer Roger A. Haley and his family filed suit against Monsanto in 1977, claiming a PCB sealant used to coat the interiors of two silos on their farm broke down, contaminating their dairy herd and farm products.

But defense lawyer William Jungerheld later told a jury of nine women hearing the suit in Huron County Circuit Court that Monsanto was a leader in gathering research.

"It wasn't even possible to know until the 1960s there was a possible problem out there," Jungerheld said. "Far from a coverup, Monsanto was active in the findings."

Jungerheld argued neither the Haleys nor the farm's previous owners were shown to be in poor health and that any economic losses were due to poor management.

The U.S. Environmental Protection Agency banned PCBs, or polychlorintated biphenyls, in 1977 after tests linked the chemicals to cancer, skin disorders and reproductive failures in animals.

The trial is expected to last six to eight weeks.

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