Detroit / PCB Issue - Background

Dale Schulz, a Michigan farmer, his wife Christine, and his brother, Ronald, filed a property damage and personal injury lawsuit against Monsanto (and others) in March, 1977, in Circuit Court for Huron County.

Plaintiffs allege that a silo (used to store animal feed) on their farm was painted years ago with a coating, trade-named "CUMAR," manufactured by a Michigan paint company and that this coating contained PCB, specifically, Aroclor 1254.*

They allege that the paint chipped off in time, contaminating the feed, which was in turn fed to their livestock. PCBs in the very low ppm range were detected in the cows' milk, hundreds of cattle were destroyed and the milk embargoed.

They also allege all sorts of acute and chronic illness which they claim has resulted from their exposure to the PCBs.

We were contacted by Ms. Jill Coughlin, a reporter for the ABC affiliate WXYZ in Detroit, (313) 444-1111 (X 304) on Monday, June 1, requesting Monsanto's statement/reaction to lawsuit.

I called her Tuesday, June 2, and said, "Based on what we know, we don't feel there is any basis for their allegations; however, since this matter is in litigation, we really can't comment on the evidence or the merits of this case publicly."

* Monsanto tradename for PCB fire-resistant transformer fluid.

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She said she understood and thanked me for calling.

We have since been contacted by Mike Martindale of the Detroit News who wanted information on Arochlor 1254 and CUMAR. Gave reporter PCB information and sent him our standard information packet.

We have since learned through out contacts that WXYZ plans to air a 30-minute feature on this incident (on June 11 ?) and that it is likely to be a real hatchet job -- not unlike the "Bitter Harvest" movie on PBB which aired on the NBC network last month.

We have made arrangements through Radio-TV Reports to tape the show and get a copy ASAP for viewing.

Our own Law Department and outside counsel retained to represent us in this litigation do not want us to contact WXYZ or initiate any other PCB press contacts prior to the airing of this story.

They are trying to build a case for improper pre-trial publicity on the part of plaintiffs and their lawyer and they feel any aggressive action by us would weaken their case.

We've been requested to "hunker down" and do nothing further on our own initiative until and if the story appears. Then and only then can wse fight back!

Dan R. Bishop

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