Monsanto Accused In Pollution Suit

Observer Wire Reports

ANDERSON, S.C. — The Monsanto Co. of St. Louis has been named a codefendant in a $1-billion class-action suit on behalf of Lake Hartwell property owners in South Carolina and Georgia.

An amended complaint accusing Monsanto of negligence and "strict liability" in manufacturing "PCBs" — chemical pollutants that make it unsafe to eat fish from Lake Hartwell — was filed Wednesday in federal court in Greenville, S.C., according to Ronnie Cole, a member of the Anderson law firm that filed the complaint.

The original suit, filed about two weeks ago, originally named the Sangamo Electric Co. of Pickens. Sangamo has been identified as a source of PCBs, which have been found in high levels in Lake Hartwell.

Cole said Monsanto is the sole producer of PCBs, a group of organic chemicals used by Sangamo to make electrical capacitators. PCBs are suspected of causing cancer.

Cole said the suit charges that by producing PCBs, Monsanto is liable for damages suffered by property owners as a result of the Lake Hartwell pollution.

The suit says the PCB contamination has caused a lowering of property values and a loss in profit to businesses along the lake.

The action, Cole said, has been filed on behalf of four classes: property owners whose lands touch Lake Hartwell; boating and marine dealers on the lake; residents within 3 miles of the lake's shoreline and all commercial businesses that sell lake-related products within 3 miles of the shoreline.

Earlier this month, the federal Environmental Protection Agency (EPA) and S.C. health officials issued an advisory against eating fish taken from Lake Hartwell because of the PCB contamination.

Sangamo is under federal orders to bring its PCB discharge within the EPA's recommended levels by the end of this month.

If the suit is accepted as a class action, Cole said, the lake property owners and businesses would be the beneficiaries of any award.

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