IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

KATHERINE JOYCE BREWER, et al.,	)	
Plaintiffs,	)	Nos. 1-88-008 and 1-88-0014 through 1-88-0368
-vs-	)	Judge Wiseman
MONSANTO CORPORATION, et al.,	)	
Defendants.	)	

DEPOSITION OF JACK T. GARRETT

Taken on behalf of the Plaintiffs
December 21, 1988

ORIGINAL

KARPOWICZ REPORTING COMPANY
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INDEX

Parties stipulated to attachment of first and last pages only of lengthy exhibits.

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DEPOSITION OF JACK T. GARRETT produced, sworn and examined on the 21st day of December, 1988, between the hours of eight o'clock in the forenoon and six o'clock in the afternoon of that day, at the Karpowicz Reporting Company Conference Room, 314 North Broadway, 11th Floor, in the City of St. Louis, State of Missouri, before Gwen A. Huffman, a Registered Professional Reporter, and Notary Public within and for the County of St. Louis, State of Missouri, in a certain cause now pending in the United States District Court, for the Middle District of Tennessee, Columbia Division, between Katherine Joyce Brewer, et al., Plaintiffs, and Monsanto Corporation, et al., Defendants, taken on behalf of the Plaintiffs.

A P P E A R A N C E S

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IT IS HEREBY STIPULATED AND AGREED by and between Counsel for the Plaintiffs and Counsel for the Defendants, that this deposition may be taken in shorthand by GWEN A. HUFFMAN, a Registered Professional Reporter and Notary Public, and afterwards transcribed into typewriting, and that the signature of the witness is not waived.

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JACK T. GARRETT,

of lawful age, being produced, sworn and examined on behalf of the Plaintiffs, deposes and says:

DIRECT EXAMINATION

BY MR. CUKER:

Q. Mr. Garrett, my name is Mark Cuker. I represent a group of workers at the former Waynesboro plant of P. R. Mallory & Company. And I'm going to be asking you some questions about your work for

Monsanto in the area of PCBs.

If at anytime you don't understand any of my questions, will you let me know and I'll rephrase the question? Will you let me know?

A. Yes.

Q. Okay. Have you testified in any of the PCB litigation involving Monsanto?

A. I don't recall. I've been in so God damn many and given so many depositions, I don't recall.

Q. You don't recall if it was a PCB?

A. Not specifically.

Q. When did you retire from Monsanto?

A. 1985. December 1st, 1985. Three years ago.

Q. What was your position?

A. Director of industrial hygiene and health services.

Q. How --

A. And health information services. I'm sorry.

Q. At the corporate level?

A. Yes.

Q. Were you working in the corporate medical department?

A. Yes.

Q. How long were you director of industrial hygiene?

A. Ten years. Since 1975.

Q. Okay. And before 1975, what positions had you held?

A. I was manager of industrial hygiene and pollution abatement.

Q. Was that in the medical department or --

A. Yes, in the medical department.

Q. What was the difference from that and director of industrial hygiene?

A. Well, in Monsanto structure, and this is true of very many companies, since -- in the pollution abatement function, up through the -- in through the '60s and into the early '70s was handled on the state level by the state health department's division or department of sanitary engineering. And because of that, most companies began their pollution control activities in their health departments because that's where it was in the states.

In my case, ninety percent of the states of the twenty-six states Monsanto operated in, and I dealt with the health department, a division of the state health department. And it's true to this day.

In many, many states, it still is.

Q. Did you report to a director of industrial hygiene?

A. Yes.

Q. And who was that?

A. Elmer Wheeler.

Q. Elmer Wheeler?

A. Elmer Wheeler.

Q. How long were you manager of industrial hygiene and pollution control?

A. Well, because of the very small department at the time, I didn't even know what my title was half the time, depending on the grade levels. Because we operated as individual professionals that got together periodically to discuss common problems.

Q. Let me perhaps rephrase the question. How long were you working as an industrial hygienist at the corporate level?

A. From 1953.

Q. Through '75?

A. Through --

Q. Well, through '85?

A. Through actually '85, yes.

Q. In a capacity of not being chief of the

department, be '53 through '75?

A. Yes.

Q. And how much of that time were you working under Elmer Wheeler?

A. All of it.

Q. Was he the director of industrial hygiene all of that time?

A. He was director of occupational health. They had a different title for him. But, yes, he was my boss and he was the director of industrial hygiene.

Q. Was the director of occupational health the same as the director of industrial hygiene?

A. What's in a name.

Q. That's what -- my point.

A. That was his part of the medical setup. Dr. Kelly took care of the medical part.

Q. Okay. Was he subordinate to Dr. Kelly?

A. Yes.

Q. Do you know where Mr. Wheeler is today, other than being in the Carolinas?

A. He's in Camden, South Carolina.

Q. You know how old he is?

A. Seventy-three, seventy-four.

Q. Okay.

A. He's had two heart operations, so --

Q. Was Mr. Wheeler involved in the activities of the American Industrial Hygiene Association?

A. He was president of it once.

Q. He was the president of it?

A. Vice president, president, yeah.

Q. You remember when that was?

A. I should because I worked my ass off while he was being president of AIHA. It had to have been in the late '60s.

MR. CUKER: Off the record.

(A discussion was held off the record.)

THE WITNESS: He was -- being president of AIHA took up half his time, literally half his time. He had to visit all the local sections, including the ones in Europe.

Q. (BY MR. CUKER) Were you active in AIHA?

A. Yes.

Q. And how were you active in AIHA?

A. I was local president and so forth periodically in the local section in St. Louis. I was also the chairman of the membership committee for several years.

Q. Did anyone in Monsanto serve on the TLV

committees of ACGIH for PCBs?

A. They could not have.

Q. Why is that?

A. ACGIH is an American Conference of Governmental Industrial Hygienists, and an industrial man could not be on those committees.

Q. Okay. AIHA did not have TLV committees for PCBs?

A. They have, in recent years, have what they call wheel committees, which is very similar, except the wheel committee produces a document that is more extensive than just the TLV.

Q. Okay. And recent years being when?

A. Well, you -- the wheel committees probably started somewhere in the late '70s or early '80s. I think late '70s. Probably '79. '78, '79.

Q. Did Dr. Roush serve on a wheel committee --

A. No.

Q. -- for PCBs?

A. No.

Q. Let me show you an exhibit that's already been marked as Roush Exhibit 2. Do you recognize that document?

A. Yes.

Q. You see your name in the lower left-hand corner of that document?

A. Yes.

Q. What was your involvement with the preparation of that document?

A. I wrote it.

Q. You wrote it?

A. Yes. Or the original one.

Q. What was the original one?

A. Well, which date is this? Excuse me a minute.

MR. MOORE: '65, I believe.

THE WITNESS: I wrote it. They've since modified it several times with different people.

Q. (BY MR. CUKER) When was it modified for the first time?

A. I have no idea.

Q. Were the different people who modified it Monsanto people?

A. No, not necessarily.

Q. Okay. Do you know -- I understand not necessarily. Do you know of any -- you specifically know if any specific Monsanto people --

A. No, I do not know.

MR. CUKER: Off the record. On the

record.

Q. (BY MR. CUKER) You've been deposed a lot of times. You should know that you shouldn't answer my question until I'm done asking it. Okay?

Do you know specifically if any Monsanto people were involved with writing revisions of this Roush Exhibit 2, the AIHA guide?

A. No.

Q. Okay. What was Elmer Wheeler's involvement with this document?

A. He and I -- he brought up the material and I wrote it.

Q. Okay. Was this doc -- was this sent out to Monsanto customers using PCBs?

A. With the documents that Monsanto customers used, yes, it was.

Q. I'm sorry, what do you mean by with the documents that they used?

A. The sales document and the like, yes, it was.

Q. Okay.

A. It was one of those documents.

Q. Would it have been routinely sent out to the customers using PCBs?

A. It would depend on the salesmen. But it

was given to the -- sales department had copies of it.

Q. Okay.

A. And I see no reason why they should not have.

Q. Okay. Was it sent out through the sales department rather than through the industrial hygiene department?

A. Initially, yes.

Q. Okay. How frequently did you visit the Krummrich plant?

MR. MOORE: What period of time, Mark?

Q. (BY MR. CUKER) Yeah, that's fair. Let's say 1969 to 1977.

A. I visited Krummrich plant probably many, many times a year during the early period of my employment until we began to grow larger with assignees. Then the Krummrich plant was assigned to another hygienist who reported to me.

Q. Okay. '69 to '76, did you have someone reporting to you on the Krummrich plant or were you still going there?

A. Part of that time.

Q. When would the reporting period have started?

A. Sometime in the early '70s, like '70, '71.

Q. Okay. After that, how often did you go to the Krummrich plant?

A. Oh, probably one or two times a year.

Q. Were you familiar with the types of physical examinations performed by the plant physician at the Krummrich plant?

A. Yes.

Q. Okay. Did he conduct an examination -- was part of his examination geared towards determining whether the employees had liver problems?

A. He did a full physical, and had they had liver problems over the yearly physicals, they would have been -- it would have developed, or they would have reported it to the dispensary.

Q. Did he order any tests to determine if they had liver problems?

A. Not --

MR. BUSTER: Are you talking --

THE WITNESS: Not in the early part of the period when I was there.

Q. (BY MR. CUKER) Meaning what?

A. When I did very frequent periods.

Q. Which would be what?

A. Up through 1970.

Q. Okay. Do you know what he did, whether he began to order liver tests routinely on these annual physicals after 1970?

A. I'm not -- I don't know of my own knowledge, no.

Q. Okay. Do you know what an SMA-12 is?

A. Yes.

Q. Do you recall whether an SMA-12 ever became part of the Monsanto standard annual physical within the corporate medical program?

A. You'd have to ask Dr. Kelly. We may have done them on some people. Our physical exam program is based on age, occupation. Periodicity was -- I'm sorry, the periodicity and the extent of the exam, let's be careful, were based on age, location, potential exposure.

For example, that was the people in the plants got annual physicals. All research people got annual physicals. People that sat on their duff in the office got them every two or three years, depending on their age. At a certain point in age, everyone got an annual physical.

Q. How about extent of the examination, how did that vary?

A. Well, it was a complete exam, chest x-ray, full hands-on exam by the physician, blood test, and any special tests that had been specified for that particular gentleman.

Q. Okay. Were there any special tests specified for PCB workers?

A. No.

Q. Now, the question you suggested I ask Dr. Kelly I asked Dr. Roush yesterday about when the SMA-12 became part of the exam, and his recollection -- his testimony I think was something in the -- approximately the mid '70s, like '75 or '76. Does that refresh your recollection as to when it happened?

A. You'd have to decide what the SMA-12 means and what happened prior to that terminology.

Q. Okay.

A. In other words, blood examinations for various things were done long before anybody ever used the term SMA-12.

Q. I see.

A. Or SMA or SMA anything else.

Q. So Monsanto may have been doing those without calling them SMA-12s?

A. We may have been doing a blood exam. To

what extent it was done, I don't know. That's medical business.

Q. Okay. Did you consider this document to still be applicable to work place practices in 1976?

MR. MOORE: You're talking about Roush 2?

MR. CUKER: Yeah.

THE WITNESS: Personally?

Q. (BY MR. CUKER) Yeah.

A. Do I consider it that?

Q. No, did you. In 1976 --

A. Yes.

Q. -- did you consider it to still be applicable?

A. Yes.

Q. You did?

A. Yes.

Q. Okay. In 1977? Through the time that Monsanto stopped making PCBs.

A. Yes.

Q. There's a reference in this document to elevated temperatures, when these materials are subjected to elevated temperatures.

A. Yes.

Q. You see that? What temperature did that

mean?

A. It would depend on the circumstances and the equipment involved. If it got to very high temperatures, the material would creep, would creep through joints and stuff like that, if you know what I mean. Oil does at very high temperatures. That's why you get oil drops in your garage and think it's horrible. The fact is it creeps through the joints of even tight joints.

At very high temperatures, you could elevate -- you could increase the vapor pressure of the materials irrespective of which one they were, depending on the temperature, to the point at where there was airborne concentrations that would become what I would consider hazardous.

Q. What temperature is that that would increase the airborne concentration?

A. Depend on the Aroclor.

Q. 1242.

A. Oh, hell, I don't remember.

Q. Okay. By the way, did you consider this also applicable to Aroclor 1016?

A. Well, 1016 was a lighter material in respect to its vapor pressure. It would be applicable as it would be to low chlorinated Aroclor,

like 1236.

Q. Did Monsanto follow --

A. Or 1242.

Q. I'm sorry, did you say --

A. 1236, 1242, the early ones.

Q. Would it be considered applicable the same for 1016 --

A. Yes.

Q. -- as it would be to 1242?

A. Yes.

Q. Just so I'm understanding, in terms of the part here where it talks about "When these materials are subjected to elevated temperatures, the process either should be completely enclosed or other adequate mechanical exhaust ventilation must be provided," if I understand what you're saying, that is not an absolute temperature like a number, that is -- an elevated temperature is a temperature at which it will seep out of the joint --

A. A temperature at which it is possible for it to exceed the standards on its own without being mechanically thrown around or anything.

Most Aroclors at room temperature have no vapor pressure. It's so low it does not exceed these. And we did test on these to prove it. It

simply does not -- if you sit here, it does not give off enough fumes to register on the analytical equipment available in those days.

Q. Did you do any tests to see what kind of fumes are given off at fifty-five degrees centigrade or higher?

A. I don't recall.

Q. Okay. Or at a hundred degrees centigrade?

A. I don't recall. Those probably were done, but I didn't do that and I don't recall.

Q. Okay. Did you ever work with a Paul Benignus?

A. Yes.

Q. In what way did you work with him?

A. We went to customers from time to time if Elmer wasn't -- was busy or something.

Q. Did he work in industrial hygiene?

A. Who?

Q. Mr. Benignus.

A. No, he was a technical sales representative. The salesmen went in and bit the customer and Benignus came in and bit him again. Benignus knew how to use it, its characteristics, most of the -- of a great deal of experience in

manufacture and in containment and that sort of stuff. He was a technical man in the sales department. They're still there.

Q. Okay. Let me show you a document that's already been marked Weber 3, Weber Exhibit 3. This is a fairly hefty manual by Mr. Benignus.

A. Uh-huh.

Q. Do you recall seeing that --

A. I've seen it, yeah.

Q. Okay.

A. I've seen it in the printed form.

Q. Was this updated?

A. I don't know. I have no idea.

Q. This is page ninety-nine of the manual. And I believe at the second full paragraph there is a reference to capacitor impregnation. Do you see that?

A. Uh-huh.

Q. Did Monsanto ever conduct any tests to see what type of fumes would be released at that capacitor impregnation temperature?

A. No, not that I know of.

Q. Okay.

A. If they did, I didn't have anything to do with it.

Q. Do you know what the basis was for Mr. Benignus saying about respirators being used during that interval?

A. No, except that Mr. Benignus knew the product and the health possibilities sufficient to be able to make those judgments, I think, in this case, yes.

Q. Did you concur in that judgment?

A. Yes.

Q. And would you have felt the same way in 1976?

A. Yes. Mr. Benignus and I visited some people. We turned down two customers for use.

Q. Which customers did you visit and turn down?

A. We turned down one of the -- one of the manufacturers of preformed insulation and a tile manufacturer.

Q. These were not capacitor manufacturers?

A. No.

Q. This was back in the days when they were not selling the enclosed systems?

A. This was back in the '60s. Anyway, we were flying in DC-3s.

Q. Did you ever visit the P. R. Mallory

plant in Waynesboro, Tennessee?

A. No.

Q. And you visited the --

A. I never did anything. Elmer did that.

Q. Do you know what the budgetary criteria system was at the Krummrich plant, the PCB operation at the Krummrich plant?

A. No, I have no idea. It would have been -- any budgetary system over there would have been budgeted in the personnel department and it would have been covered by the personnel's overall budget since their safety and eventually industrial hygiene services were budgeted and managed under personnel.

Q. Okay. Would that include the cost of the protective clothing used?

A. No.

Q. What was that budgeted under?

A. That would be budgeted under the individual divisions.

Q. That issued the clothing?

A. Yes.

Q. Dr. Osland, what would he be budgeted under?

A. He would be budgeted under personnel.

The cost of personnel was a part of cost of goods.

Q. How frequently do they do sampling -- sample the air for PCBs at that plant?

A. At what period of time?

Q. Let's say '69 to '77.

A. Probably not very frequently since it was a very cumbersome job.

Q. Air sampling?

A. Uh-huh.

Q. What did they use to sample?

A. Used a very complicated system of breaking down the Aroclor to hydrogen chloride, absorb the hydrogen chloride in a fixed base, and then backtracking the base.

Q. Okay. Now, Mr. Papageorge testified that after 1970 they went to a system where they used these vessels containing hexane to sample the air for PCBs. Were you familiar with that?

A. No. That's the one where you run it up the outside tool container, I presume?

Q. I'm sorry, I didn't hear what you said.

A. That's the kind that you run the -- a gas, and by adiabatic cooling collect samples, is that what you're talking about?

Q. Adiabatic?

A. By cooling.

Q. Okay. I don't know if that's what I'm talking about or not.

A. I don't know what he's talking about either.

Q. Okay. He described something with a pump sucking the air through vessels which contained a solvent, and the solvent would capture the contaminant.

A. Well, but that's common system. They used what's known as a -- we had a hand pump, and you pumped material through Greenberg Smith impingers or midget impingers, although we preferred the Greenberg Smith impingers. Great big tubes.

To ship that equipment would cost you about a hundred and twenty-five percent of a -- of your own personal air ticket, by the way. The whole thing weighed, oh, two or three hundred pounds, all of the equipment with all the Greenberg Smith tubes, the tripod. The pump weighed thirty-eight pounds that we used. And you had -- you brought two cases of tubes, one of bubblers and one --

Q. Mr. Garrett, are we talking about what was done in the '70s here?

A. We're talking about what was done up to

the time of the individual samplers. And the early individual samplers weren't worth a dime.

Q. When were the early samplers used?

A. Introduced in the '70s. And the early ones failed more frequently than they worked, and we never could get really correct air volume measurements with them.

Q. Never?

A. We never could.

Q. Okay. How long were you trying?

A. Well, the first good ones were probably made by DuPont, in our opinion. Sippen made a good one for short-term sampling. Anyone that preceded that, as far as we're concerned, would not maintain the airflows.

Q. What do you mean, the pump would run down?

A. Well, you're talking about a little tiny plastic pump with a battery, and you're trying to get an eight hour sample.

First, most of them wouldn't take an eight hour sample until the midget ones introduced originally by Sippen and followed by DuPont. The big maker of pumps today is DuPont.

Q. When was this midget one introduced by

DuPont and Sippen?

A. In the early '70s. They weren't perfected until -- they became very reliable pumps probably in the early '80s. And by the mid '80s, they were accepted as accurate and they were very accurate and they -- by this time had extensive electronic stuff in it so you could set them or anything, set them for time-lapse, anything. They do anything including milk for you, if you had it set up right.

Q. Now, by problem with the pump, do you mean that because the pump was not reliable, you could never be sure of what volume of air had gone through the sample?

A. In the early days.

Q. And, therefore, the concentration figure would be meaningless?

A. That's right, that's why we carried all this heavy gear. We used rotameters for -- good, heavy, balanced rotameters for our air volume measurements. And we read the rotameters on periodic intervals. And the test result looked like a piece of paper with the readings for almost every twenty, thirty minutes to get a decent sample.

Q. Did you ever use organic vapor tubes or

carbon tubes for sampling of PCBs?

A. Oh, my, yes. Later on, when you got the -- when you could produce and integrate a chromatogram for the PCBs in general, we would use the carbon tubes, and where you -- where we could quantitate them accurately, you could get the -- the chromatogram for PCBs using electron capture technique, you can get a chromatogram.

But when you could quantitate them accurately, that means tell how much was there accurately, we used the carbon tubes and we used all types of absorptive materials, including carbon, in tubes.

Q. When were you doing that?

A. From the early '70s through until the time I quit.

Q. Okay. Was it --.

A. All -- every incident of improvement, considering the analytical methods and considering the pumps available.

Q. Was there a preference for the vessels with the solvents over the carbon tubes?

A. No, no, no, they didn't -- we -- you're not going to carry all that junk around if you could do it with a thing as big as a cigarette package and

a pack about as big as an ordinary cough drop package in your pocket. You're not going to carry that three hundred pounds of trash around.

I drove my cars to death carrying that around. The airlines wouldn't take some of that. And besides that, the first time I ever detected for PCBs in the air with a so-called chlorinated hydrocarbon detector made by a gentleman in Dayton, Ohio in his own shop, I guess, and it was so delicate, because it had so much glassware connected with it, that if we put it on an airplane in those days, you'd never -- you'd have to go to a glass blower immediately and have it put back together again.

So we frequently -- I drove all over this damn country in my personal car to do sampling. And one of the samplers, this thing was about this big, about this long.

Q. What are we talking about here, carbon?

A. Talking about a sampler for Aroclors.

Q. Okay. What kind?

A. It was elec -- it was a chlorinated hydrocarbon detector. I don't know who made it. But a lot of the instruments were made those days in what you'd call garage shops.

Keep in mind, when I went in -- when I was a member or the chairman of the committee for the national AIHA membership committee, we had a great party and we had five hundred members. There are seven thousand of them now.

So a person that wanted to make instruments for this business in those days had little incentive. Today, they have much incentive. Because those --

MR. MOORE: You've answered his question.

Q. (BY MR. CUKER) Were carbon tubes ever used in series?

A. In series?

Q. Yeah.

A. Depending on what you want to measure.

Q. PCBs.

A. I don't know why you'd use them in series. If you used the proper air settings and the proper tube, you're going to absorb enough on there to get you a sample that you can quantitate.

Q. Do you remember a recommended flow rate for sampling with carbon tubes?

A. No, I do not.

Q. Did Monsanto keep that information?

A. I'm sure we did.

Q. Could you recall whether it was less than one liter per minute or one liter per minute?

A. It would depend, again, on the size -- on the type of pump you have. And if the pump -- and airflow characteristics would depict the kind of tube you used.

You could get tubes that would take low airflows and high airflows depending on the amount of carbon or the amount of absorption in the tube. And you can get pumps now that are quite accurate and work a good twenty-four hour --

Q. Back in the '70s, I mean.

MR. MOORE: What part of the '70s?

MR. CUKER: Let's say '73 to '76.

MR. BUSTER: What are you asking?

THE WITNESS: We'd be carrying a big load, probably. We'd be carrying the sample with -- either the hand pump sampler or the heavy electrical pump with the Greenberg Smith impingers in those days.

Q. (BY MR. CUKER) Okay.

A. Until we had accurate flow level or accurate devices. The first of these little hang-on pumps came out back in about '69, '70. The first

ones were not accurate. I mean you have enough problem with this kind of analyses to have an inaccurate pump. And there is no way of measuring consistently the volume that flowed through.

Q. Okay. When --

A. There is today.

Q. Getting back to let's say the period '73 to '77, how would that pump have to be monitored --

A. Well, you --

Q. -- when it was used?

A. In those days, you had very short period pumps. So if you wanted to run an eight hour, we did it with a double pump or a triple pump.

Q. Okay. Monsanto did not run eight hours with a single pump?

A. Not until we had single pumps that we felt were accurate enough to do it.

Q. And when was that?

A. Oh, hell, I can't remember the exact date.

Q. Well, approximately.

A. Sometime during the '70s.

Q. Now, I'm just speaking with regard to PCBs now.

A. Yes, I'm talking about -- the PCBs are

not unusual sampling material. We sampled everything.

Q. Would it have been the late '70s?

MR. MOORE: He said he didn't remember.

MR. CUKER: Okay.

THE WITNESS: I really don't remember. You'd have to look up the evolution of the pumps. You can find it in history. Somebody wrote a history of this business, and I'm sure that it would show where the -- when the accuracy was available. It does you very little good to sample if you don't get accurate results. Industrial hygienist's primary job was to go look at the operations.

Q. (BY MR. CUKER) What operations?

A. Any operation that you happened to be responsible for.

Q. You mean the work operation?

A. Yes.

Q. Okay.

A. That's true.

Q. Mr. Garrett, have you reviewed any documents in the last week or so relating to a meeting between Monsanto people and Mallory people in 1976?

A. Yes.

Q. Do you have any recollection of that meeting?

A. No.

Q. Did reviewing those documents refresh your recollection in any way of that meeting?

A. No.

Q. Do you recall talking to anybody about that meeting up until last week or so?

A. No.

MR. CUKER: I have no further questions.

MR. BUSTER: We don't have anything.

MR. SPODEN: No questions for Emhart.

MR. MOORE: Thanks, Jack.

Jack T. Garrett

JACK T. GARRETT

Subscribed and sworn to before me on this 23rd day of January, 1989.

My commission expires

JOSEPHINE S. NIBLOCK
Notary Public - State of Missouri
St. Louis County
My Commission Expires January 15, 1991

Josephine S. Niblock

NOTARY PUBLIC

NOTARIAL CERTIFICATE

STATE OF MISSOURI)
)
COUNTY OF ST. LOUIS)

I, Gwen A. Huffman, a Registered Professional Reporter and Notary Public duly commissioned and qualified in and for the County of St. Louis, State of Missouri, do hereby certify that, pursuant to agreement between Counsel, came before me on the 21st day of December, 1988, at the Karpowicz Reporting Company Conference Room, 314 North Broadway, 11th Floor, St. Louis, Missouri, JACK T. GARRETT, who was by me first duly sworn on his oath to testify to the truth and nothing but the truth of his knowledge touching and concerning the matters in controversy in this cause; that he was thereupon carefully examined upon his oath, and his examination reduced to writing under my supervision; that the deposition is a true record of the testimony given by the witness.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 10th day of January, 1989.

My commission will expire January 27th, 1991.

Gwen A. Huffman
Notary Public

KARPOWICZ REPORTING COMPANY
408 Olive Street, Suite 316
St. Louis, MO 63102

January 11, 1989

Mr. Jack Garrett
429 Geyer Forest
St. Louis, MO 63122

In Re: Katherine Joyce Brewer, et al. vs
Monsanto Corporation, et al.

Dear Mr. Garrett:

This letter, incorporated as the last page of your deposition taken on December 21, 1988, will serve as notice to you that your testimony is now ready for your reading and signing of same.

I would appreciate your contacting my office by calling 314/621-8883 so that arrangements can be made to accomplish this.

This letter is being mailed to you, as you know, by Certified Mail with return receipt requested. If we have not heard from you within thirty days after receiving your return receipt, this testimony will be filed with our indication of this offer of submission to you and your refusal to sign.

I would appreciate hearing from you at your earliest convenience and appreciate your cooperation in this regard.

Sincerely yours,

Gwen A. Huffman, RPR

CERTIFIED MAIL: P 714 737 467

MAILED ON: January 11, 1989

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

KATHERINE JOYCE BREWER, et al.,	)	
Plaintiffs,	)	Nos. 1-88-008 and 1-88-0014 through 1-88-0368
-vs-	)	Judge Wiseman
MONSANTO CORPORATION, et al.,	)	
Defendants.	)	

A F F I D A V I T

I, GWEN A. HUFFMAN, a Registered Professional Reporter and Notary Public within and for the State of Missouri, do hereby certify that under Certified Mail No. P 714 737 467

JACK GARRETT

was duly notified that his deposition taken in the above matter had been transcribed and could be read and signed; that signed receipt was returned showing signature date of _____

That over thirty days have elapsed since the sending of the aforementioned Certified Letter; that there has been no response from this party or counsel; that therefore, said deposition is herewith filed.

My Commission expires January 27, 1991.

Gwen A. Huffman
Notary Public

CORRECTIONS TO DEPOSITION

The Witness, David Gauntt, states he wishes to make the following changes in testimony as originally given:

PAGE	LINE	SHOULD READ	REASON
4	8+9	Remove words "God DAMN"	obvious
8	1	Add After "So" AND Remove Parens "His health is not very Good."	To Complete Statement
8	9	Remove words "My Age OFF" AND Replace with words "Decreased"	To Complete Statement
8	23	Insert between "The" AND "Membership" The words "National AIHA"	To Complete Statement
9	4	Replace word "AN" with "The"	For Accuracy
9	10	Word "WHeel" Should be "Wheel"	For Correctness
9	16	Remove First "79"	For Correctness
9	17	Word "WHeel" Should be "Wheel"	For Correctness
11	13	Remove "Doc - -" AND Second "WAS THIS".	For Correctness
12	17	Insert words "In the Medical Dept" After Word Employment.	For Correctness
12	18	Replace word "Assigned" With "Additional Hygienists"	For Correctness
13	19	Replace word "Not" And Complete Statement "I did not Order Medical Testing, Statement THAT WAS The Exclusive Province OF The Medical Doctors"	To Complete Statement
13	20,21,22	There is Something Missing OR Deleted Here.	Correctness
13	23,24,25	There is a Missing Part OR Meaning Here	Correctness
14	1	Remove words is "That WAS"	For Correctness

David Gauntt
Signature

CORRECTIONS TO DEPOSITION

The Witness, Jack T Gauth, states he wishes to make the following changes in testimony as originally given:

PAGE	LINE	SHOULD READ	REASON
19	22,23	Word "bit" should be hit IN BOTH CASES.	For Correctness
22	4	AFter "I Never did ANything" Add the words "IN CONNECTION WITH MALLORY PLANTS"	For Correctness
22	20	"Divisions" Should be "Departments"	For Completeness AND Correctness
23	14	"backtracking" should be" BACK-TITRATING"	For Correctness
24	11	AFter Words "KNOWN AS A" Add "Midget Impinger pump" THEN Add phrase "which was a HAND PUMP" AND STRIKE Words "We had."	For Completeness AND Correctness
24	21 & 22	Strike word "had" AND FOLLOWING DASH MARKS ALONG WITH the SECOND "YOU". ON Line 22 The Sentence WILL be COMPLETE ON THE Addition "OF IMPINGERS"	For Completeness AND Correctness
26	6	Strike" AND They" AND Following DASH MARKS	For Correctness
26	7	Word "as" should be "For"	correctness
27	5	Strike ", And Where you" AND THE FOLLOWING DASH MARKS	correctness
27	8	Strike ", you can get a rheumatogram"	Redundancy
29	4	Record Word "AND" AND Replace with "When"	For Correctness
30	10	Word "Absorptia" Should be "Absorbant"	

Jack T Gauth
Signature