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$1 BILLION HARTWELL CASE

Monsanto Named in Suit

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

In an amended complaint filed Wednesday in federal court in Greenville, S.C., Monsanto was accused of negligence and "strict liability" in its production of PCBs, or polychlorinated biphenyls, according to Ronnie Cole, a member of the Anderson, S.C., law firm which filed the complaint.

The suit, filed about two weeks ago, originally named the Sangamo Electric Company of Pickens, S.C. 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 in its manufacture of electrical capacitors and suspected of causing cancer. He said the suit charges that by virtue of producing PCBs, Monsanto is liable for damages sustained by property owners as a result of the Lake Hartwell pollution.

The suit says that 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 a three mile of the lake's shoreline and all commercial businesses that sell lake-related products within three miles of the shoreline.

Earlier this month, the Environmental Protection Agency and South Carolina health officials issued an advisory against eating fish taken from Lake Hartwell because of the PCB contamination.

Tests conducted by the South Carolina Department of Health and Environmental Control at that time indicated that the PCB content in fish taken from one section of the lake ranged from 3 to 15 parts per million. The EPA has set recommened safety limits of PCBs in fish at 5 parts per million.

Subsequent tests have shown the level of contamination has risen to as high as 33 parts per million.

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

Specifically, the suit charges that Monsanto should have "exercised the highest degree of care" in the distribution of the chemical to users and should have warned of potential hazards and is "strictly liable" for damages to the public.

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

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