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PCB Poisoning Results in Fine For Japan Firm

Fukuoka District Court has ended an eight-and-a-half year trial in Western Japan by finding Kanegafuoka Chemical Industry Company liable for widespread outbreaks of PCB (polychlorinated biphenyls) poisoning in 1968.

Also found guilty was co-defendant Kanemi Warehouse Company., an edible oils producer whose PCB-contaminated rice-bran oil was determined by Kyushu University researchers to be the source of painful, sometimes fatal "Yusho disease". (PCB production has been banned in Japan since 1972).

More than 1,600 Japanese have been registered as sufferers of Yusho disease, which produces such symptoms as pustular skin eruptions and pigmentation changes, nausea, anemia and foetal disturbances. The Fukuoka case involves forty-six patients as plaintiffs.

The court awarded them a total of $2.6 million, including attorneys' fees. The plaintiffs had asked $3.3 million. Kanegafuchi Chemical has appealed the decision to the Fukuoka High Court. But that court has directed Kanegafuchi to arrange payments of about $11,000 to each plaintiff, pending high court judgment of the appeal.

Pending in another branch of Fukuoka District Court is a still larger lawsuit, brought on similar grounds by more than 700 other PCB poisoning victims against Kanegafuchi and Kanemi, along with the Japanese government and the city of Kitakyushu (where Kanemi Warehouse Co. is located). They are demanding a total of $14 million in damages.

Kanegafuchi Chemical was PCB supplier to the Kanemi plant, where it was used in a heat exchanger. The 1968 cooking oil contamination occurred when PCB leaked into the oil stream through piping cracks during processing.

The court found Kanemi guilty of negligence in not handling PCB with due care, since the maker's product literature warned that PCB can corrode metal under some conditions. But Kanegafuchi was also ruled negligent because its literature emphasized the safety of PCB and failed to warn of its effects if ingested.