

BUSINESS

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Opening Rounds Fired In Monsanto Trial

By Robert Stayer
Of the Post-Dispatch Staff

Monsanto Co. intentionally hid the dangers of a chemical it produced, says a lawyer for former Westinghouse Electric Corp. workers who are suing Monsanto and alleging that the chemical caused a variety of illnesses.

But an attorney for Monsanto says it provided adequate health and safety warnings to Westinghouse, and he adds that the workers hadn't suffered any ailments linked to the chemical.

These comments summarized law-

yers' opening remarks in a trial here in which eight ex-workers of a Westinghouse plant in Bloomington, Ind., are seeking damages from Monsanto for their exposure to PCBs. Widows of two workers have joined the suit.

The production of PCBs, or polychlorinated biphenyls, has been banned in the United States since 1979. The Environmental Protection Agency calls them a "probable" cancer-causing agent based on tests linking PCBs to liver cancer in rats.

Monsanto was the only U.S. maker

of these chemicals, which were used primarily in insulating fluids for heavy electrical equipment. Westinghouse bought PCBs for use at its plant that manufactured equipment.

The trial is being held in St. Louis Circuit Court before Judge Robert G. Dowd Jr.

Each former worker seeks \$1 million in punitive damages plus expenses for past medical care and future medical monitoring. The widows seek \$2 million apiece in punitive damages plus the cost of caring for

their late husbands.

"The plant was awash in this junk," said Thomas E. Kotoske, an attorney for the plaintiffs, in his opening arguments late Tuesday afternoon.

"These people were never told by Monsanto how dangerous it was," said Kotoske, who is based in Palo Alto, Calif. "The workers never received a single warning."

Kotoske quoted excerpts of what he said were internal Monsanto memos indicating that the company knew of

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the dangers of PCBs.

But the attorney leading Monsanto's defense said the company sent medical bulletins, safety guidelines, results of tests and other health-related matters to Westinghouse and to all of its PCB customers.

"Westinghouse knew just as much about PCBs as Monsanto," said Thomas M. Carney, in his opening remarks Wednesday morning. Carney is a member of the St. Louis firm of Husch, Eppengruber, Donohue, Cornfeld & Jenkins.

He said Monsanto and other companies knew from the early 1930s that PCBs could cause two "temporary" problems.

If PCBs come in contact with the skin, they can cause chloracne. Prolonged inhaling of PCB fumes can

cause "liver effects," he said.

Monsanto describes chloracne as being similar to teenage acne. The EPA describes it as a "painful, disfiguring skin disease."

Carney said medical studies show that PCBs have not been linked to serious, long-term illnesses.

Monsanto never received reports of "serious" problems among its workers who manufactured PCBs, he said.

Carney added that Monsanto received only three complaints from customers in more than 40 years. When Monsanto investigated the complaints, it found that the workers had ignored safety guidelines.

Kotoske, the ex-workers' attorney, said Monsanto visited the Westinghouse plant, noted "sloppy" working conditions and "did nothing" about the alleged PCB dangers there.

Carney said Monsanto had no control over how Westinghouse ran its plant. He said Monsanto offered health and safety suggestions.

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