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PCB Figure Jailed in Japan

A plant manager was found criminally negligent late last month as a landmark product liability case entered a new phase in Japan. Fukuoka District Court sentenced Yoshito Morimoto, former manager of Kanemi Warehouse Company's Kitakyushu plant, to one and a half years in prison as a result of rice bran oil contamination by polychlorinated biphenyls (PCB) ten years ago.

PCB leaking into the cooking oil from a heat exchanger led to outbreaks of poisoning among families in western Japan. More than 1,600 Japanese have received government designation as victims of these outbreaks.

Both Kanemi warehouse and its PCB supplier, Kanegafuchi Chemical Industry Company, were found liable in two civil suits brought in the same court by groups of PCB poisoning patients. The court has awarded 775 plaintiffs or their survivors a total of $28 million in these cases, both of which have been appealed by Kanegafuchi Chemical (CMR 3/20/78 pg. 5).

In these civil cases the oil processor was found liable for not handling PCB with due care. The PCB supplier was also liable, said Fukuoka District Court, for not informing its customers adequately about the toxicity of PCB.

Kanemi Warehouse's plant manager Morimoto, ruled the court in the eight-year criminal case just decided, could have foreseen the possibility of PCB leakage from his knowledge of its corrosive properties. The court also criticized the lack of regular inspection of the equipment involved.