

Monsanto, contd.

Once PCB is absorbed into human tissue, there it forever remains.

Monsanto shut down PCB production in Anniston in 1971, and the company ended all its American PCB operations in 1977. Also in 1977, Monsanto closed a PCB plant in Wales. In recent years, residents near the village of Groesfaen, in southern Wales, have noticed vile odors emanating from an old quarry outside the village. As it turns out, Monsanto had dumped thousands of tons of waste from its nearby PCB plant into the quarry. British authorities are struggling to decide what to do with what they have now identified as among the most contaminated places in Britain.

"No Cause for Public Alarm" What had Monsanto known -- or what should it have known -- about the potential dangers of the chemicals it was manufacturing? There's considerable documentation lurking in court records from many lawsuits indicating that Monsanto knew quite a lot. Let's look just at the example of PCBs.

The evidence that Monsanto refused to face questions about their toxicity is quite clear. In 1956 the company tried to sell the navy a hydraulic fluid for its submarines called Pydraul 150, which contained PCBs. Monsanto supplied the navy with test results for the product.

But the navy decided to run its own tests. Afterward, navy officials informed Monsanto that they wouldn't be buying the product.

"Applications of Pydraul 150 caused death in all of the rabbits tested" and indicated "definite liver damage," navy officials told Monsanto, according to an internal Monsanto memo divulged in the course of a court proceeding. "No matter how we discussed the situation," complained Monsanto's medical director, R. Emmet Kelly, "it was impossible to change their thinking that Pydraul 150 is just too toxic for use in submarines."

Ten years later, a biologist conducting studies for Monsanto in streams near the Anniston plant got quick results when he submerged his test fish. As he reported to Monsanto, according to The Washington Post, "All 25 fish lost equilibrium and turned on their sides in 10 seconds and all were dead in 3 minutes."

When the Food and Drug Administration (F.D.A.) turned up high levels of PCBs in fish near the Anniston plant in 1970, the company swung into action to limit the P.R. damage. An internal memo entitled "confidential -- f.y.i. and destroy" from Monsanto official Paul B.

Hodges reviewed steps under way to limit disclosure of the information. One element of the strategy was to get public officials to fight Monsanto's battle: "Joe Crockett, Secretary of the Alabama Water Improvement Commission, will try to handle the problem quietly without release of the information to the public at this time," according to the memo.

Despite Monsanto's efforts, the information did get out, but the company was able to blunt its impact. Monsanto's Anniston plant

manager "convinced" a reporter for The Anniston Star that there was really nothing to worry about, and an internal memo from Monsanto's headquarters in St. Louis summarized the story that subsequently appeared in the newspaper: "Quoting both plant management and the Alabama Water Improvement Commission, the feature emphasized the PCB problem was relatively new, was being solved by Monsanto and, at this point, was no cause for public alarm."

In truth, there was enormous cause for public alarm. But that harm was done by the "Original Monsanto Company," not "Today's Monsanto Company" (the words and the distinction are Monsanto's). The Monsanto of today says that it can be trusted -- that its biotech crops are "as wholesome, nutritious and safe as conventional crops," and that milk from cows injected with its artificial growth hormone is the same as, and as safe as, milk from any other cow.

The Milk Wars Jeff Kleinpeter takes very good care of his dairy cows. In the winter he turns on heaters to warm their barns. In the summer, fans blow gentle breezes to cool them, and on especially hot days, a fine mist floats down to take the edge off Louisiana's heat. The dairy has gone "to the ultimate end of the earth for cow comfort," says Kleinpeter, a fourth-generation dairy farmer in Baton Rouge. He says visitors marvel at what he does: "I've had many of them say, 'When I die, I want to come back as a Kleinpeter cow.'" Monsanto would like to change the way Jeff Kleinpeter and his family do business. Specifically, Monsanto doesn't like the label on Kleinpeter Dairy's milk cartons: "From Cows Not Treated with rBGH." To consumers, that means the milk comes from cows that were not given artificial bovine growth hormone, a supplement developed by Monsanto that can be injected into dairy cows to increase their milk output.

No one knows what effect, if any, the hormone has on milk or the people who drink it. Studies have not detected any difference in the quality of milk produced by cows that receive rBGH, or rBST, a term by which it is also known. But Jeff Kleinpeter -- like millions of consumers -- wants no part of rBGH. Whatever its effect on humans, if any, Kleinpeter feels certain it's harmful to cows because it speeds up their metabolism and increases the chances that they'll contract a painful illness that can shorten their lives. "It's like putting a Volkswagen car in with the Indianapolis 500 racers," he says. "You gotta keep the pedal to the metal the whole way through, and pretty soon that poor little Volkswagen engine's going to burn up."

Kleinpeter Dairy has never used Monsanto's artificial hormone, and the dairy requires other dairy farmers from whom it buys milk to attest that they don't use it, either. At the suggestion of a marketing consultant, the dairy began advertising its milk as coming from rBGH-free cows in 2005, and the label began appearing on Kleinpeter milk cartons and in company literature, including a new Web site of Kleinpeter products that proclaims, "We treat our cows with love ...

not rBGH."

The dairy's sales soared. For Kleinpeter, it was simply a matter of giving consumers more information about their product.

But giving consumers that information has stirred the ire of Monsanto.

The company contends that advertising by Kleinpeter and other dairies touting their "no rBGH" milk reflects adversely on Monsanto's product.

In a letter to the Federal Trade Commission in February 2007, Monsanto said that, notwithstanding the overwhelming evidence that there is no difference in the milk from cows treated with its product, "milk processors persist in claiming on their labels and in advertisements that the use of rBST is somehow harmful, either to cows or to the people who consume milk from rBST-supplemented cows."

Monsanto called on the commission to investigate what it called the "deceptive advertising and labeling practices" of milk processors such as Kleinpeter, accusing them of misleading consumers "by falsely claiming that there are health and safety risks associated with milk from rBST-supplemented cows." As noted, Kleinpeter does not make any such claims -- he simply states that his milk comes from cows not injected with rBGH.

Monsanto's attempt to get the F.T.C. to force dairies to change their advertising was just one more step in the corporation's efforts to extend its reach into agriculture. After years of scientific debate and public controversy, the F.D.A. in 1993 approved commercial use of rBST, basing its decision in part on studies submitted by Monsanto.

That decision allowed the company to market the artificial hormone.

The effect of the hormone is to increase milk production, not exactly something the nation needed then -- or needs now. The U.S. was actually awash in milk, with the government buying up the surplus to prevent a collapse in prices.

Monsanto began selling the supplement in 1994 under the name Posilac.

Monsanto acknowledges that the possible side effects of rBST for cows include lameness, disorders of the uterus, increased body temperature, digestive problems, and birthing difficulties. Veterinary drug reports note that "cows injected with Posilac are at an increased risk for mastitis," an udder infection in which bacteria and pus may be pumped out with the milk. What's the effect on humans? The F.D.A. has consistently said that the milk produced by cows that receive rBGH is the same as milk from cows that aren't injected: "The public can be confident that milk and meat from BST-treated cows is safe to consume." Nevertheless, some scientists are concerned by the lack of long-term studies to test the additive's impact, especially on children. A Wisconsin geneticist, William von Meyer, observed that when rBGH was approved the longest study on which the F.D.A.'s approval was based covered only a 90-day laboratory test with small animals. "But people drink milk for a lifetime," he noted. Canada and the European Union have never approved the commercial sale of the artificial hormone. Today, nearly 15 years after the F.D.A. approved rBGH, there have still been no long-term studies "to determine the safety of milk from cows that receive artificial growth hormone," says Michael Hansen, senior staff scientist for Consumers Union. Not only have there been no studies, he adds, but the data that does exist all

comes from Monsanto. "There is no scientific consensus about the safety," he says.

However F.D.A. approval came about, Monsanto has long been wired into Washington. Michael R. Taylor was a staff attorney and executive assistant to the F.D.A. commissioner before joining a law firm in Washington in 1981, where he worked to secure F.D.A. approval of Monsanto's artificial growth hormone before returning to the F.D.A. as deputy commissioner in 1991. Dr. Michael A. Friedman, formerly the F.D.A.'s deputy commissioner for operations, joined Monsanto in 1999 as a senior vice president. Linda J. Fisher was an assistant administrator at the E.P.A. when she left the agency in 1993. She became a vice president of Monsanto, from 1995 to 2000, only to return to the E.P.A. as deputy administrator the next year. William D.

Ruckelshaus, former E.P.A. administrator, and Mickey Kantor, former U.S. trade representative, each served on Monsanto's board after leaving government. Supreme Court justice Clarence Thomas was an attorney in Monsanto's corporate-law department in the 1970s. He wrote the Supreme Court opinion in a crucial G.M.-seed patent-rights case in 2001 that benefited Monsanto and all G.M.-seed companies. Donald Rumsfeld never served on the board or held any office at Monsanto, but Monsanto must occupy a soft spot in the heart of the former defense secretary. Rumsfeld was chairman and C.E.O. of the pharmaceutical maker G. D. Searle & Co. when Monsanto acquired Searle in 1985, after Searle had experienced difficulty in finding a buyer. Rumsfeld's stock and options in Searle were valued at \$12 million at the time of the sale.

From the beginning some consumers have consistently been hesitant to drink milk from cows treated with artificial hormones. This is one reason Monsanto has waged so many battles with dairies and regulators over the wording of labels on milk cartons. It has sued at least two dairies and one co-op over labeling.

Critics of the artificial hormone have pushed for mandatory labeling on all milk products, but the F.D.A. has resisted and even taken action against some dairies that labeled their milk "BST-free." Since BST is a natural hormone found in all cows, including those not injected with Monsanto's artificial version, the F.D.A. argued that no dairy could claim that its milk is BST-free. The F.D.A. later issued guidelines allowing dairies to use labels saying their milk comes from "non-supplemented cows," as long as the carton has a disclaimer saying that the artificial supplement does not in any way change the milk. So the milk cartons from Kleinpeter Dairy, for example, carry a label on the front stating that the milk is from cows not treated with rBGH, and the rear panel says, "Government studies have shown no significant difference between milk derived from rBGH-treated and non-rBGH-treated cows." That's not good enough for Monsanto.

The Next Battleground As more and more dairies have chosen to advertise their milk as "No rBGH," Monsanto has gone on the offensive. Its attempt to force the F.T.C. to look into what Monsanto called "deceptive practices" by dairies trying to distance themselves from the company's artificial hormone was the most recent national salvo. But after reviewing Monsanto's claims, the F.T.C.'s Division of

Advertising Practices decided in August 2007 that a "formal investigation and enforcement action is not warranted at this time." The agency found some instances where dairies had made "unfounded health and safety claims," but these were mostly on Web sites, not on milk cartons. And the F.T.C.

determined that the dairies Monsanto had singled out all carried disclaimers that the F.D.A. had found no significant differences in milk from cows treated with the artificial hormone.

Blocked at the federal level, Monsanto is pushing for action by the states. In the fall of 2007, Pennsylvania's agriculture secretary, Dennis Wolff, issued an edict prohibiting dairies from stamping milk containers with labels stating their products were made without the use of the artificial hormone. Wolff said such a label implies that competitors' milk is not safe, and noted that non-supplemented milk comes at an unjustified higher price, arguments that Monsanto has frequently made. The ban was to take effect February 1, 2008.

Wolff's action created a firestorm in Pennsylvania (and beyond) from angry consumers. So intense was the outpouring of e-mails, letters, and calls that Pennsylvania governor Edward Rendell stepped in and reversed his agriculture secretary, saying, "The public has a right to complete information about how the milk they buy is produced."

On this issue, the tide may be shifting against Monsanto. Organic dairy products, which don't involve rBGH, are soaring in popularity.

Supermarket chains such as Kroger, Publix, and Safeway are embracing them. Some other companies have turned away from rBGH products, including Starbucks, which has banned all milk products from cows treated with rBGH. Although Monsanto once claimed that an estimated 30 percent of the nation's dairy cows were injected with rBST, it's widely believed that today the number is much lower.

But don't count Monsanto out. Efforts similar to the one in Pennsylvania have been launched in other states, including New Jersey, Ohio, Indiana, Kansas, Utah, and Missouri. A Monsanto-backed group called afact -- American Farmers for the Advancement and Conservation of Technology -- has been spearheading efforts in many of these states.

afact describes itself as a "producer organization" that decries "questionable labeling tactics and activism" by marketers who have convinced some consumers to "shy away from foods using new technology." afact reportedly uses the same St. Louis public-relations firm, Osborn & Barr, employed by Monsanto. An Osborn & Barr spokesman told The Kansas City Star that the company was doing work for afact on a pro bono basis.

Even if Monsanto's efforts to secure across-the-board labeling changes should fall short, there's nothing to stop state agriculture departments from restricting labeling on a dairy-by-dairy basis.

Beyond that, Monsanto also has allies whose foot soldiers will almost certainly keep up the pressure on dairies that don't use Monsanto's

artificial hormone. Jeff Kleinpeter knows about them, too.

He got a call one day from the man who prints the labels for his milk cartons, asking if he had seen the attack on Kleinpeter Dairy that had been posted on the Internet. Kleinpeter went online to a site called StopLabelingLies, which claims to "help consumers by publicizing examples of false and misleading food and other product labels."

There, sure enough, Kleinpeter and other dairies that didn't use Monsanto's product were being accused of making misleading claims to sell their milk.

There was no address or phone number on the Web site, only a list of groups that apparently contribute to the site and whose issues range from disparaging organic farming to downplaying the impact of global warming. "They were criticizing people like me for doing what we had a right to do, had gone through a government agency to do," says Kleinpeter. "We never could get to the bottom of that Web site to get that corrected."

As it turns out, the Web site counts among its contributors Steven Milloy, the "junk science" commentator for FoxNews.com and operator of junkscience.com, which claims to debunk "faulty scientific data and analysis." It may come as no surprise that earlier in his career, Milloy, who calls himself the "junkman," was a registered lobbyist for Monsanto.

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