



27 plaintiffs sue Whirlpool over Clyde cancer cluster

This lawsuit seeking \$5 million is the second to name Whirlpool as a defendant over the Clyde cancer cases.

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A federal class-action lawsuit filed Tuesday against Whirlpool Corp. points to a new possible cause for a Clyde-area cancer cluster.

The suit, filed in U.S. District Court of Toledo, names 27 plaintiffs, including Warren Brown of

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Clyde, who lost his 11-year-old daughter Alexa to cancer in 2009. Most plaintiffs live in Green Springs and Clyde, an area where authorities have investigated why at least 35 children have been diagnosed with cancer. Alexa and three others have died.

The lawsuit links the cancer cases to exposure to benzaldehyde, a compound found in the attics of five Clyde homes a mile or less from Whirlpool's plant.

Families involved in the suit hired a consultant who this spring collected dust samples that their attorney Alan Mortensen said tested for levels of benzaldehyde far above U.S. Environmental Protection Agency standards. The Salt Lake City attorney said benzaldehyde is a "known hazardous substance" and "a suspected carcinogen" used by Whirlpool in the manufacturing process. He called the discovery a "commonality" found in the homes tested, including residences of cancer victims.

Among the documents included in court filings is a hazardous-substance fact sheet from the New Jersey Department of Health that states the compound may cause mutations, or genetic changes, and its cancer risk needs more study.

"I think it provides the parents of these families some hope that they are going to get to the truth now, but it's devastating to the city of Clyde," Mr. Mortensen said.

The suit contends Whirlpool "intended to deceive" government agencies and citizens and made false statements regarding its knowledge of chemicals, including toxins found earlier at the former Whirlpool Park.

The suit seeks a judgment of at least \$5 million total.

Whirlpool spokesman Kristine Vernier released a statement saying the company is evaluating the "new allegations."

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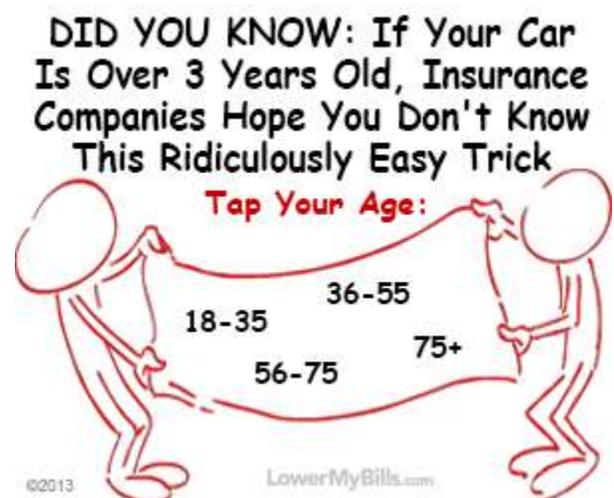
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“We will vigorously defend Whirlpool, its employees, and the community against these allegations. Whirlpool has been part of the fabric of the Clyde community for more than 60 years and we remain committed to acting responsibly,” she stated.

Mr. Mortensen said he was compelled to file the suit now because results from the families’ testing were sent to the U.S. EPA and other agencies but he said he has not received a satisfactory response. A U.S. EPA spokesman declined to comment.

The Ohio Department of Health, which also received the test results, is working on a response to the information, spokesman Robert Jennings said. The health department pointed to a fact sheet it prepared, which describes benzaldehyde as a colorless liquid used as a food additive that can be found in combustion by-products in vehicle exhaust. A National Toxicology Program evaluation of the compound found no evidence of carcinogenicity in rats and some evidence of noncancerous tumors in mice, according to the health department.

“Based on what we are looking at, we don’t see it as a problematic level,” Mr. Jennings said of the agency’s review so far of the Clyde information.

The Ohio Department of Health has not determined the cause of the cancer cases, he said.

David Pollick, health commissioner of the Sandusky County Health Department, said his agency has been in contact with the state department. “Of course we are concerned about the cluster and all the ramifications, so we will see what the state response is, the final response, and whatever we need to do, we’ll do it,” he said.

Mr. Brown wore a gold ribbon signaling childhood cancer awareness on his lapel as he

discussed the suit, his long search for answers to his daughter's death, and the discovery of benzaldehyde in his 10-year-old house. "All of us have been asking for years and years and years, 'Do not leave any stone unturned.' "

He said he wants his house remediated but said Whirlpool first needs the chance to do its own testing in his attic. "Now that we know there's something there, we have to get it cleaned up," he said.

The suit asks Whirlpool to cover costs to clean the homes, which Mr. Mortensen said could cost between \$7,000 and \$15,000 each.

The lawsuit is the second to name Whirlpool as a defendant over the Clyde cancer cases. The first suit, filed earlier this year in Sandusky County Common Pleas Court, was filed by other attorneys.

By Vanessa McCray - The Blade, Toledo, Ohio (MCT)

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