

KILLE et al (12 separate cases) vs E. I. du Pont de Nemours & Co., Inc., et al (Peach Crop Cases)

"Philadelphia Record" of 18 October 1946.

First Atom Bomb Suit for Ruined Peaches— Filed by Salem County Growers for \$400,000

A dozen orchard owners in Salem county (N. J.) blamed the atomic bomb yesterday for their ruined 1944 peach crop.

And—they're not fooling.

For they filed suit in New Jersey Supreme Court for \$400,000 to make good their losses. Named in the suit—first of its kind—are three chemical manufacturers whose products went into manufacture of atomic bombs.

They are E. I. duPont de Nemours Company, which has a plant at Deepwater, Salem county; the Sun Oil Company and the General Chemical Company, both of Marcus Hook, Pa.

The bill of complaint made no

mention of the atomic bomb but attributed the damage to hydrogen fluoride and hydrofluoric acid.

Fumes Traced to Plant

However, William C. Gottshalk, Camden, counsel for the peach growers, said that a year ago chemists seeking the origin of hydrogen fluoride fumes in the vicinity of Deepwater found that free uranium, the basis of the atomic bomb, was being processed in the duPont plant. Official announcements when the bomb was made public credited the duPont company with par-

ticipating in its development.

Describing duPont as the "chief offender," Gottshalk added:

"When our difficulties were first experienced, we went to duPont and from them got nothing but truths and half-truths. Finally we found out some secret process was being carried on in which the U. S. Government was involved."

The Government pleaded wartime secrecy, he said, whereupon he engaged Samuel P. Sadler & Sons, Philadelphia chemists, to find the source of the blight that was ruining peaches, causing

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FIRST A-BOMB SUIT FOR RUINED PEACHES

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severe leaves to drop and in some cases killing the trees themselves. The chemists traced uranium to duPont's.

Got Counter-Espionage

"Being, of course, patriotic, we said nothing except to duPont's," Gottshalk said, "and in return the Government, on information from the firm, sent a counter-espionage officer after us. We delayed our action until the fact of the atomic bomb was made public."

The suit named the Pennsylvania firms as the source of additional fumes that swept across the Delaware River and helped lay the orchards waste.

It was claimed that General Chemical manufactured hydrogen fluoride and hydrofluoric acid, and that Sun used them as catalysts in the cracking process of refining gasoline.

The plaintiffs, all residents of Oldmans township, Salem county, are Erwin S. Cunard, Edwin S. and Richard Kille, James A. Johnston, Emma Doughton as administratrix of the estate of Clarence Doughton; Charles H. Garrison, Jr., and Mildred M. Garrison; Albert Munyon, John Gounaris, James B. Dietrich, John Giordano, William Darlington, J. Davis Huber and Walter E. Freed.

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