



***News from* COTTONWOOD RANCH**

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FOR IMMEDIATE RELEASE

JURY AWARDS \$1,007,500 IN EQUITROL® LAWSUIT

Santa Ana, CA, March 25, 2004 -- The jury in *Wrather v. Farnam Companies*¹ returned a verdict of \$1,007,500 in favor of plaintiffs Charlotte Wrather, Christopher Wrather and Lori Araki. The jury found that Farnam's product Equitrol®, a feed-through fly control product, was defectively designed (not safe when used in the intended manner) and that it had caused harm to plaintiffs' thoroughbred racehorses and thoroughbred and warmblood sport horses. Mr. and Mrs. Wrather are the owners of Cottonwood Ranch in Los Alamos, California, a thoroughbred breeding and training farm. Ms. Araki is manager and trainer at Cottonwood Ranch.

Equitrol® works in the manure to kill fly larvae before they mature. Its active ingredient is the organophosphate insecticide tetrachlorvinphos, a cholinesterase inhibitor and neurotoxin which is also known by the trade name Rabon®. Feed-through fly control products containing Rabon® are widely used in beef and dairy cattle and other livestock industries, as well as in horses.

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Farnam has advertised that Equitrol® is designed to pass quickly through the horse's gastrointestinal tract without being digested, and that it is safe for all horses including pregnant and lactating mares and their foals. The Wrathers and Ms. Araki claimed that they fed Equitrol® as directed, that the organophosphate in it was absorbed into their horses' systems, and that this caused or exacerbated a variety of health problems in the horses including reproductive problems and birth defects, stunted and retarded growth, hyperexcitability and other neurological dysfunctions, laminitis, immunosuppression evidenced by unusual or unusually severe infections, low thyroid, diarrhea, colic and more.

Testifying as an expert witness for plaintiffs was Dr. John Madigan, D.V.M., professor in the Department of Medicine and Epidemiology and chief of the Equine Section at the Veterinary Medical Teaching Hospital, School of Veterinary Medicine at the University of California, Davis. Dr. Madigan last summer conducted a pilot study of the effects of feeding Equitrol®. In his study (forthcoming in the veterinary literature), the group of test horses fed Equitrol® experienced a sharp drop in their whole blood cholinesterase to levels consistent with organophosphate intoxication. The study also revealed statistically significant differences in behavior while on Equitrol® as compared with the control group. In a series of behavioral tests, the horses fed Equitrol® exhibited heightened or intensified flight response, that is, they were "spookier" or more easily startled or frightened.

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Also testifying for the plaintiffs were Drs. Mark Rick, D.V.M. and Greg Parks, D.V.M., both of the well known Alamo Pintado Equine Medical Center in Los Olivos, California; Dr. David Jensen, D.V.M., who practices privately as San Marcos Equine Practice in Los Alamos, California; and Dr. Warren Porter, Professor of Environmental Toxicology at the University of Wisconsin at Madison.

The Wrathers and Ms. Araki had also alleged that Farnam knew at least since 1981 that 10% to 30% of the organophosphate in Equitrol® was absorbed, so that the advertising and marketing for Equitrol® contained negligent and intentional misrepresentations and omissions. The jury did not find that this had been proved by a preponderance of the evidence.

- 1 Charlotte Wrather et al v. Farnam Companies, Inc., United States District Court for the Central District of California, Santa Ana Civil No. 03-967 JVS(RCx)(March 25, 2004)

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