

1 caused the performance deficiencies measured by the Boston Naming Test. TX 791, p. 18.
2 Dr. Rice's paper reports that a number of endpoints in the Faroe Islands study, including the
3 Boston Naming Test, were negatively associated with methylmercury until the authors
4 controlled for the effects of PCBs. TX 791, p. 12. After the researchers controlled for PCBs,
5 there was no statistically significant correlation between methylmercury and the Boston
6 Naming test or any neuropsychological endpoint other than the continuous performance test.
7 *Id.* A more detailed analysis of the data "confirmed a relationship between umbilical cord
8 PCB concentrations and poorer performance on the Boston Naming Test." TX 791, p. 13.
9 When asked about this article, Dr. Rice initially denied that she had ever written a paper
10 stating that PCB exposure caused deficits on the Boston Naming Test. Rice, 3 Tr. 275:27-
11 276:10. Then, when she was shown her article stating this precise conclusion (TX 791,
12 p. 18), she first tried to distance herself from its authorship, but then admitted to reviewing
13 and approving it, and that the article was published under her name. Rice, 3 Tr. 279:5-13.

14 121. **Dr. Rice provided misleading testimony** that a single exposure to
15 methylmercury of the kind at issue in this case can cause adverse effects in humans. Rice, 2
16 Tr. 115:14-117:1; TX 360E; TX 360F; TX360G. Dr. Rice produced a series of abstracts
17 where animals were exposed to a single dose of methylmercury at levels that likely exceeded
18 the levels of the Minamata poisoning.²³ TX 423; Rice, 25 Tr. 3141:9-3146:28. This level of
19 exposure exceeded the Tuna Canners' proposed MADL by more than a million-fold.²⁴ Rice,
20 25 Tr. 3142:22-23; TX 423. Contrary to Dr. Rice's testimony, these studies do not conclude

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22 ²³ The Tuna Canners' counsel confirmed with Dr. Rice at trial that Minamata was a "massive
23 exposure to methylmercury" and then asked whether there is any reason to believe that
24 anyone in Minamata was exposed to 232,000 micrograms of methylmercury. Dr. Rice
25 responded "I would doubt it." Rice, 25 Tr. 3141:1-8. In the Iraq poisoning, people died
26 when exposed to more than 200,000 micrograms of methylmercury. TX 865, p. 54.

27 ²⁴ Dr. Rice was unable to compare the mercury levels involved in the poisoning episode in
28 Minamata Bay to the levels of mercury consumed in fish in the New Zealand, Seychelles,
or the Faroe Islands studies. Rice, 3 Tr. 269:10-11. Dr. Rice was not even sure if the
levels of exposure differed by a factor of ten. Rice, 3 Tr. 269:11-12. Data from Iraq
demonstrated that the exposure levels in a poisoning episode can exceed a body burden of
200 milligrams (mg) or 200,000 micrograms (ug). TX 865, p. 54. The proposed MADLs
in this case are fractions of a microgram. TX 659; TX 8.