



# NEWS RELEASE

OFFICE OF THE UNITED STATES ATTORNEY  
WESTERN DISTRICT OF MISSOURI

**TODD P. GRAVES**

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**JUNE 25, 2003**

**FOR IMMEDIATE RELEASE**

*Note: Audio comments from the United States Attorney regarding the Tyson case are available in MP3 format online at [www.usdoj.gov/usao/mow](http://www.usdoj.gov/usao/mow)*

## **TYSON PLEADS GUILTY TO ENVIRONMENTAL VIOLATIONS, AGREES TO PAY \$7.5 MILLION PENALTY**

**KANSAS CITY, Mo.** – Todd P. Graves, United States Attorney for the Western District of Missouri, announced that Tyson Foods, Inc., pleaded guilty in federal court today to violations of the Clean Water Act at its Sedalia, Mo., plant. Joining Graves in making the announcement were Thomas L. Sansonetti, Assistant Attorney General, Environment and Natural Resources Division, United States Department of Justice; and Missouri Attorney General Jay Nixon.

“Tyson Foods pleaded guilty in federal court today to 20 felony violations of the Clean Water Act, and agreed to pay \$7.5 million in penalties to the United States and the state of Missouri,” Graves said. “As a result, the company will pay the largest environmental criminal penalty in the history of this district.”

Representatives of Tyson Foods appeared before U.S. District Judge Howard F. Sachs this afternoon to waive the company’s right to a grand jury and plead guilty to a 20-count federal information. Tyson admitted to having illegally discharged untreated wastewater from its poultry processing plant near Sedalia into a tributary of the Lamine River, under an agreement with the U.S. Attorney’s Office and the Environmental Crimes Section of the U.S. Department of Justice.

“We remain committed to investigating crimes against our environment,” said Kevin Stafford, Special Agent in Charge of the FBI’s Kansas City Office.

A consent judgment between Tyson and the Missouri Attorney General’s Office that resolves allegations of state environmental violations over the same discharges also was entered today in Pettis County Circuit Court.

Tyson’s Sedalia plant processes approximately one million chickens per week and

generates hundreds of thousands of gallons of wastewater per day. Tyson's state permit issued under the federal Clean Water Act requires the company to treat the wastewater before discharging it into a nearby stream. The permit also establishes limits on the concentration of pollutants that the wastewater may contain.

Between 1996 and 2001, Graves explained, Tyson repeatedly discharged untreated or inadequately treated wastewater from its Sedalia plant in violation of its permit. The Missouri Department of Natural Resources cited the plant several times, and the State of Missouri filed two lawsuits over the discharges. Tyson continued to discharge untreated wastewater through its storm drains, in spite of the company's assurances that the discharges would stop and even after two state court orders and the execution of a federal search warrant at the Sedalia facility.

"Tyson's refusal over many years to respond to the state's civil enforcement efforts prompted this prosecution," said Sansonetti. "Violators should know that their failure to comply with the law and their failure to heed state warnings and orders, may result in serious federal criminal charges."

"Today's federal criminal charges mark a serious enforcement action to address a history of environmental abuse," Graves said. "Tyson was repeatedly warned, but failed to correct the violations. Tyson's actions posed a threat to the environment that has now been rectified."

Under the two pleadings, Tyson agreed to pay \$5.5 million in penalty to the federal government, \$1 million in damages to the state in connection with a separate state civil enforcement action, and \$1 million to the Missouri Natural Resources Protection Fund to help remedy the harm caused by the illegal discharges. In addition, Tyson has agreed to hire an outside consultant to perform an environmental audit, and then to implement an enhanced environmental management program based upon the audit's findings to assure that the Sedalia facility will remain in compliance with all applicable environmental laws and regulations.

"The successful resolution of this case was due to the determined tenacity of investigators and attorneys from both the state and federal governments," Nixon said. "Their perseverance led not only to these multi-million dollar penalties, but also to the court orders requiring the necessary corrective action by Tyson."

Assistant United States Attorney Dan Stewart and Senior Trial Attorney Jeremy Korzenik of the Department of Justice's Environmental Crimes Section prosecuted the case on behalf of the federal government. Missouri Assistant Attorneys General William Bryan and Joseph Bindbeutel handled the case on behalf of the state.

The case was investigated by the Criminal Investigation Division of the Environmental Protection Agency, the Federal Bureau of Investigation, and the Missouri Department of Natural Resources.

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This news release, as well as additional information about the office of the United States

Attorney for the Western District of Missouri, is available on-line at  
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