

EXAMPLE:

Facts: Cross-examination of a witness on a matter not addressed in the witness's direct testimony.

Cross-Examination:

- Q - If the suspension were to last more than one year, would you expect an even more severe impact (than the impact W testified to)?
- A - What I would speculate about insofar as the effect in a period longer than one year is not addressed in my testimony. Because we were directed...to look at a one year effect, I can't say at this point what the effect would be if the period in question was more than one year.
- Q - If there is a severe pest problem and alternatives cannot be used and the reviewed pesticide is not available, would yield losses result on these crops?
- A - I cannot answer the question specifically. I have no idea specifically what the yield effects might or might not be if he could not use this pesticide at planting.
- Q - Looking at all the data (you've generated), wouldn't it be accurate to say that in terms of revenue per acre, growers on the average, cannot be shown to have suffered any losses in revenue?
- A - I would not make that conclusion. This data could well reflect the effect the suspension has had on people who did not use the pesticide.
- Q - Isn't it true that looking at yield and revenue figures you've submitted, there is absolutely no evidence that suspension has impacted negatively on either yield or revenue per acre?
- A - I don't think that conclusions can be drawn from this data. All this tells you (is) that on the average that is true, but I don't think the conclusion can be drawn that there has been no yield effect.

Each response avoided an attempt to apply submitted testimonial data to hypothetical circumstances in which the application of such data would have been inappropriate.