CABLEGRAMS "VASEFIELD NEWYORK"
TELEX: ITT 422219
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RONALD A. CAPONE
RUSSELL T. WEIL
RESIDENT PARTNERS

August 19, 1971

OUR REF. 77572

Mr. James J. Rodder
Product Supervisor for Heat Transfer Fluids
Monsanto Company
800 Lindbergh Boulevard
St. Louis, Missouri 63166

Re: Replacement of Therminol FR1 or FR2 and return to Monsanto of Prior Shipments of the Same Commodity.

Dear Sir:

Confirming telephone conversation between Mr. Rodder and the writer on August 16, 1971, we understand you are willing to supply a quantity of a new type heat transfer medium in exchange for quantities of therminol FR1 or FR2 presently at hand on the premises of East Coast Terminals, Inc. in Wilmington, North Carolina.

Your offer is appreciated. We would be obliged if you would forward, freight prepaid, fourteen (14) drums of the new material to East Coast Terminals, Inc., Wilmington, North Carolina 28401. Also, would you arrange to send to East Coast Terminals, Inc. a supply of your shipping labels, freight collect, so that arrangements may be made to return to you approximately twelve (12) drums of the material previously supplied by you. You will note that we are sending a copy of this letter to Mr. Dean Martin of East Coast Terminals, Inc. and we think he may be of assistance to you in working out the details of the arrangement.

However, as explained in our telephone conversation the acceptance of new quantities of heat transfer medium is entirely without prejudice to the legal position of EPCHAP or South Pacific Proteins, Inc., whom we represent, or, indeed, to the legal position of Monsanto with respect to any losses,

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damages or expenses arising out of alleged contamination of shipments of fish meal which may have come in contact with heat transfer medium allegedly containing poly clorinated bifenals.

Should you have any questions concerning arrangements, please feel free to telephone us and we shall try to be of assistance.

Very truly yours,

KIRLIN, CAMPBELL & KEATING

By James J. Higgins
James J. Higgins

JJH:nl

cc: Mr. W. Pratt
South Pacific Proteins, Inc.
1089 Post Road
Darien, Conn. 06820

Mr. Dean Martin
East Coast Terminals, Inc.
Wilmington, North Carolina 28401

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