TRANSMITTAL TO EPA OF SUBSTANTIAL RISK INFORMATION UNDER TSCA - U.S.

Monsanto procedure for handling the reporting of information to EPA under the 8(e) substantial risk section of the Toxic Substances Control Act (TSCA).

1. ***Abstract of Requirements*** - TSCA Section 8(e) requires any person (Company) who manufactures, processes or distributes in commerce a chemical substance or mixture and who obtains information which reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment shall immediately inform the EPA of such information.

2. ***Who is responsible for reporting?***

   The requirements of Section 8(e) of the Toxic Substances Control Act apply to "any person who manufactures, processes, or distributes in commerce," It is Monsanto's position that the "person" who engages in the commercial activity is only the business organization, whether a sole proprietorship, corporation, partnership, or association.

3. ***How are 8(e) reporting decisions made?***

   Monsanto organizations that might receive TSCA 8(e) information will have a designated individual to whom such information shall be communicated. At least annually, the Director of Regulatory Management (DRM) - Toxic Substances, will publish a list of the designated individuals.

   Anyone obtaining information of the type given in the abstract of requirements and detailed by EPA in their policy statement on Interpretation and Enforcement of TSCA 8(e) (43FR 11110, March 16, 1978), should immediately submit such information to their supervisor. The supervisor shall immediately relay the information to the location or department manager, whichever is applicable, who, in turn, transmits it to the proper designated individual in the organization. The information is then transmitted directly to the Director of Medicine and Health Sciences.

   It is imperative that the flow of information through this transmittal chain be rapid. In the event of nonavailability of a member of the communication network at the time information is first obtained, such member should be bypassed in the interest of speed.

   All individuals involved in submission of substantial risk information to the Directo of Medicine and Health Sciences should keep a record of date of receipt and pertinent identifying details.

   The Director of Medicine and Health Sciences, Environmental Counsel, DRM - Toxic Substances, and the appropriate operating unit Director(s) of Environmental Operations will comprise the designated official 8(e) committee to make decisions with respect to information that must be reported to the EPA under Section 8(e) of the Toxic Substances Control Act.

   Appropriate Senior Management will be informed of committee decisions.

   In the event that a committee decision is not unanimous, the next appropriate level of management shall be consulted, and the matter will be resolved at the highest level, if necessary.

   Employees who submit information through Company channels will be notified of action taken by the 8(e) committee together with reasons for such action.

   In the event that, after Monsanto has evaluated information and has determined that the item is not reportable under Section 8(e), the Company becomes aware that an employee, as an individual, subsequently reported the item to the EPA, the the Company should review the situation to determine what action, if any, it should take with the EPA.

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4. ***How are employees notified of 8(e) requirements?***

Employees of the Company (Grade Level 34 and above) shall be informed of the provisions of Section 8(e). Annual reminders of 8(e) requirements will be provided to said employees. Records documenting the information communication will be maintained by the DRM - Toxic Substances.

(Procedure Approved by Vice President, Environmental Policy Staff April 11, 1986.)

(Reviewed and Approved: Environmental, Safety and Health Committee, October 20, 1987.)

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