



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OCT 8 1991

OFFICE OF ENFORCEMENT

Ms. Maria B. Pellerano
Associate Editor
Environmental Research Foundation
P.O. Box 73700
Washington, D.C. 20056-3700

Re: Freedom of Information Act Request HQ-RIN-6125-91

Dear Ms. Pellerano:

This letter is in response to your Freedom of Information Act (FOIA) Request dated August 29, 1991, requesting the following:

- 1) All allegations leading up to the commencement of, or the decision not to commence, a criminal investigation of the Monsanto studies.
- 2) All internal EPA documents related to the alleged investigation.
- 3) All documents relating in any way to the actual investigation, itself, if one occurred.
- 4) Any conclusions resulting from the investigation, which may have been forwarded to the Justice Department.

In response to your request, please find enclosed the following documents:

Two memoranda prepared by Dr. Cate Jenkins dated November 15, 1990 and January 24, 1991 containing her allegations. These documents are provided because they have been made public by Dr. Jenkins. Dr. Jenkins issued these memoranda in her personal capacity. The Agency takes no position concerning the content of these documents. The documents have been redacted pursuant to FOIA Exemption 6, 5 U.S.C. §552(b)(6).

A letter dated April 8, 1991 from James R. Moore, counsel for Monsanto, to Raymond L. Ludwiszewski, then-Acting Assistant Administrator for Enforcement, with attachments.

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Various articles pertaining to the allegations at issue.

Any other documents responsive to your request would be exempt from disclosure pursuant to FOIA Exemptions 5, 6, and 7, 5 U.S.C. §552(b)(5), (6) and (7).

You may appeal this partial denial by sending a written appeal within thirty (30) days of your receipt of this letter to: Freedom of Information Officer, A-101, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460.

Fees associated with processing this request are waived as de minimis, pursuant to 40 C.F.R. §2.120 (a)(5)(v).

Sincerely,


Pasquale A. Alberico, Acting Director
Office of Criminal Enforcement

cc: K. Bundy (LE-133)
FOIA Office (A-101)

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