

transanto

FROM (NAME-LOCATION-PHONE)

LAW DEPARTMENT

Thomas M. Bistline - E2NJ -- Ext. 2989

Tom
AO file

DATE: June 3, 1982
SUBJECT: Agent Orange Q/A
REFERENCE:
TO S. G. Collins

cc: R. T. Berendt
J. R. Condray
G. D. Ingenthron

Attached are my comments on the Agent Orange Q/A which you sent over this morning. Bob Berendt has reviewed and signed off on this. Please note that I have taken the liberty of substantially revising the answers to Questions 2 and 3. In addition, Bob and I both feel that we should not answer questions of the nature of Nos. 4 and 5. These matters go directly to the heart of the litigation and we feel that it would be most unwise to depart from our long-standing position of declining comment on these matters. I have supplied the number of gallons of Agent Orange which we sold as obtained from Court documents we filed last month.

Please feel free to contact Bob Berendt if you wish to discuss further any of the enclosed answers.



Thomas M. Bistline

TMB:ke
Attachments

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C14200

2. We do not at this time have sufficient information to draw any conclusions with respect to the information contained in this document. For example, we do not know at this time how the Agent Orange allegedly produced by Monsanto was identified as such, how the product so identified had been stored, how the samples were taken or how the samples were analyzed. Further, it is impossible to determine from this one document whether the Agent Orange sampled by the Government in this one test was representative of all the product supplied to the Government by Monsanto--or by any other producer. Accordingly, it would be improper to draw general conclusions on the basis of this single document as to the level of dioxin contained in the Agent Orange supplied by any producer during the Vietnam conflict.

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3. Because we lack crucial information as to the manner in which the Agent Orange allegedly produced by Monsanto was identified and analyzed, it would be inappropriate to draw any conclusions based on the information contained in the government document. As a general matter, it should be borne in mind that there are some 75 members of the dioxin family and that their toxicity varies widely. Of those, only one, 2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD) is regulated by the Government because of its toxicity. Further, the analytical capability to identify 2,3,7,8-TCDD unambiguously from all the other members of the dioxin family simply did not exist prior to 1979. We believe that the analysis reflected on the government document was conducted prior to 1979. Thus, we have significant doubt as to the accuracy--or even the meaning--of the figures reflected there.

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C14202

 Monsanto

FROM
(NAME-LOCATION-PHONE) S. G. Collins - A3ND - 4-3860

DATE : June 3, 1982

cc. J. R. Condray
G. D. Ingenthron

SUBJECT :

REFERENCE :

TO : R. T. Berendt - E2ND
T. M. Bistline - E2NJ

Attached is a Q/A on Agent Orange. May I have your comments please.

Sarah

Sarah Gainer Collins

:cm

Attachment

Tom,

I'm sending over the article I found in Monsanto Magazine, Oct. '62.

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6-3-82

Q/A AGENT ORANGE

1. Q. A GOVERNMENT DOCUMENT SAYS THAT A SAMPLE TAKEN FROM THE AGENT ORANGE SUPPLIED BY MONSANTO WAS HIGHLY CONTAMINATED WITH DIOXIN. IS THIS CORRECT?

A. We are aware of one government document that ~~shows numerical ranges for individual samples from various Agent Orange~~ *purports to show various producers, including a Monsanto product.* (7)

2. Q. WHAT IS MONSANTO'S OPINION OF THE DOCUMENT?

see attachment
A. ~~We don't know what the samples or numbers represent. We don't know how the samples were taken, how they were analyzed, the protocol followed or whether an individual sample was representative of the product made. Therefore, it is difficult to draw an overall conclusion.~~

3. Q. DOESN'T THE DOCUMENT SHOW THAT THE AGENT ORANGE USED IN VIETNAM WAS HIGHLY TOXIC AND CONTAMINATED WITH DIOXIN?

see attachment
A. ~~We don't know what the dioxins numbers represent because we don't know what dioxins were found. There are over 75 isomers or members of the dioxin family and only one, 2,3,7,8-Tetra-chlorodibenzo-p-dioxin or TCDD is the isomer regulated by the government because of its toxicity. The analytical techniques to isolate TCDD were not developed until 1979. The government document is dated around 1977 and does not break down the dioxin numbers into specific isomers.~~

C14204

4. Q. DID MONSANTO KNOW ITS PRODUCT WAS CONTAMINATED WITH DIOXINS?

A. ~~Monsanto produced the components of Agent Orange, 2,4,5-T and 2,4-D according to government specifications. The products supplied to the government were of high quality and met or surpassed the specifications. At the time of production, we analyzed the 2,4,5-T component using state-of-the-art technology and did find very low levels of dioxins that were considered to be inconsequential.~~

This is a matter which is currently the subject of litigation currently pending before the court. Accordingly we feel that it would be inappropriate for us to comment.

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6/3/82

-2-

5. Q. DOESN'T THE FACT DIOXINS WERE FOUND MAKE ANY LEVEL FOUND SIGNIFICANT?

A. ~~No. Even today, there is no conclusive scientific evidence that Agent Orange or the dioxins sometimes found in it are the cause of purported health problems. At the time Monsanto produced the components of Agent Orange for the government, there was no scientific evidence a problem existed nor were we aware of any complaints from our other customers of 2,4,5-T.~~

6. Q. HOW MUCH AGENT ORANGE DID MONSANTO PRODUCE FOR THE GOVERNMENT?

A. Monsanto supplied approximately 3.8 million gallons for the U.S. government between the years 1963 and 1969.

7. Q. DOES MONSANTO STILL PRODUCE EITHER 2,4,5-T or 2,4-D?

A. No. We got out of those businesses in 1970 for economic reasons.

As reflected in documents which we recently filed with the Court,

5. Same answer as to 4. General comment on the health effects of exposure to Agent Orange should track our general statement.

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C14205

Bob,
Previous statements an
A.O.

JUN 3 1982

Sarah

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AGENT ORANGE.... MONSANTO COMPANY POSITION

We genuinely sympathize with the plight of our Vietnam Veterans. The unpopular war they fought has left inevitable scars and Agent Orange has become an outlet for accumulated frustrations.

As a result, this controversy has continued to grow despite the lack of virtually any scientific evidence that this herbicide posed a danger to the veterans. To the contrary, there is a substantial amount of scientific/medical evidence on the record (attached) that says there is no link between Agent Orange and human health problems of the magnitude claimed by the veterans.

Monsanto was one of the companies asked to produce this herbicide mixture for the government during the war. Now, much to our regret, we find that we are both an object of the veterans' frustrations and a target of the many lawsuits brought on their behalf.

Obviously, this conflict is not of our making. However, having been drawn into it, we have no alternative but to defend ourselves. We are confident that good science will ultimately prevail over the emotions of the moment and exonerate the producers of Agent Orange. At the same time, we sincerely hope that good science will also provide many of the answers the veterans now seek regarding possible service-related health problems.

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Rev. Oct. 23, 1980

For additional information, contact:

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