

SWIFT, SPEARS & HARPER, L.L.P.

ATTORNEYS AT LAW

WILLIAM B. SWIFT
EDMUND R. SPEARS
TAMMIE N. HARPER
CLAUDIA H. GARY
MIRCHANA S. EVERHART
ALFRED W. POWELL

POST OFFICE BOX 1810
LAKE CHARLES, LOUISIANA 70602-1810
TELEPHONE (318) 433-0707

STREET ADDRESS
4TH FLOOR
FIRST FEDERAL BUILDING
1133 LAKESHORE DRIVE
LAKE CHARLES, LA 70601
TELEFAX (318) 433-0828

ALSO ADMITTED IN TEXAS

July 28, 1998

JUL 30 1998

Mr. William Baggett, Sr.
BAGGETT, MCCAIL & BURGESS
Post Office Drawer 7820
Lake Charles, LA 70606-7820

**RE: Daniel J. Ross, et ux
Vs. No. 90-4837
Conoco Inc., et al**

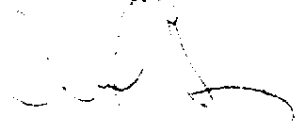
Dear Mr. Baggett:

Pursuant to your request for production of Phase II documents, enclosed please find Monsanto Documents RSV 0004766 - RSV 0009544, RSV 0009548- RSV 0009567 and RSV 0009572- RSV 0009576. Please also be advised that we have produced to the Special Case Master a supplemental privilege log produced on behalf of Monsanto Company.

Should you have any questions regarding any of these documents, please do not hesitate to contact me.

With kindest regards, I remain

Yours truly,



CLAUDIA H. GARY

CHG/lcm

Enclosures

cc: Tom Bistline
Debra E. Belleau

E. P. Wheeler

LAW OFFICES

KELLER AND HECKMAN

1150 17TH STREET, N. W.

SUITE 1000

WASHINGTON, D. C. 20036

TELEPHONE

202 206-2100

CABLE ADDRESS "KELMAN"

JOSEPH M. KELLER
JEROME H. HECKMAN
CHARLES M. MEEHAN
WILLIAM H. BORGHESE, JR.
ROBERT R. TIERNAN
WAYNE V. BLAIR
DAVID L. HILL
MARTIN W. BERCOVICI
EDWIN B. SPIEVACK
PETER M. NEMKOV
JOSEPH E. HADLEY
CAROLE C. HARRIS
WILLIAM W. PUGH

July 22, 1974

TO: All Members of:

SPI Food, Drug and Cosmetic
Packaging Materials Committee;
General Polyvinyl Chloride Interest
Mailing List;
Ad Hoc Liquor Bottle Committee;
Plastic Pipe Institute
(Executive Board);
Plastic Bottle Division
(Voting Representatives);
SPI Executive Committee;
SPI Public Affairs Committee;
VC and PVC Producers Committee

Ladies and Gentlemen:

In line with our continuing policy, the purpose of this letter is to provide information regarding the continuing governmental and related activities pertaining to vinyl chloride and polyvinyl chloride. As has been true for some time, most of what we have to report concerns the proposed standard for vinyl chloride exposure published by the Occupational Safety and Health Administration (OSHA) with only minimal updating on the Food and Drug Administration (FDA) and the Environmental Protection Agency (EPA) fronts.

With respect to follow-up on the OSHA hearings we have a number of items to report. Firstly, on the originally announced closing date of July 17, 1974, we filed Comments on OSHA's draft Environmental Impact Statement on behalf of SPI. We are herewith enclosing a copy of the Comments. At the time the Comments were hand-delivered to the Office of Standards Development we were notified for the first time that the deadline for filing Comments was being extended until August 5, 1974. We are enclosing a copy of the extension notice which was

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given to us; those of you who may have wished to file your own Comments but were unable to do so before July 17, may find the additional fifteen days useful for that purpose.

As we previously advised you, during the course of the Hearings the American Chemical Society (ACS) presented a statement in support of the proposed standard. A number of ACS members in the audience took serious exception to the statement, pointing out that there was little or no industry representation on the ACS panel that prepared the statement and that the ACS did not consider any of the human health experience that was presented during the course of the hearings. Dr. A. B. Steele of Union Carbide Corporation has now written a letter to the American Chemical Society objecting strongly and cogently to the Society's statement; we are enclosing a copy of Dr. Steele's letter herewith.

In connection with this same statement filed by ACS we have been informed that the ACS Safety Committee contained only two chemists currently employed and knowledgeable in the VC/PVC industry. Still further, these industry chemists apparently received only a preliminary draft of the ACS statement, one which was substantively at variance with the statement that was finally issued. We understand that pertinent information regarding the make-up of this ACS Committee and the development of the statement is being prepared for submission to OSHA so we will report further to you as this matter develops.

Last week a meeting of the Steering Committee of the VC and PVC Producers Committee was held to make plans regarding post-hearing activities. Of most significance was the appointment of a Monitoring Methods Standards Sub-committee to develop detailed standards and procedures for monitoring VC and PVC plants in line with the SPI recommendations to OSHA. In addition a post-hearing brief will be drafted summarizing the evidence presented at the Hearing, providing such additional data as may have been developed since that time, and summarizing SPI recommendations. A draft of this brief will be presented to the full VC and PVC

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Producers Committee for its recommendations and approval. Thereafter, we plan to deliver the final version of the brief to OSHA on August 23, the last day that the Hearing record will be held open for this purpose.

To round out this letter we are including an article from Chemical and Engineering News dated July 22, summarizing the Hearings, and two related newspaper articles -- one from the Washington Post on July 20, and one from the New York Times on July 21. We believe these are important not for the new facts or information that they convey but rather because of their possible effect on the climate in which the final Regulation will be prepared.

With respect to FDA activity there are two items to report. The first concerns the long anticipated proposed interim regulation of polyvinyl chloride resins. It is our present understanding that a new version of the proposed regulation has been prepared and is being circulated through the Food and Drug Administration. It is our understanding that the current draft contains no substantive changes from the position previously reported -- that is, no detectable vinyl chloride migrating to food-simulating solvents using an analytical procedure sensitive to 50 parts per billion, combined with the requirement that there be no residual monomer in the polyvinyl chloride food contact surface in excess of ten parts per million.

The second FDA item concerns a request received from the Food and Drug Administration. You will recall that the Food and Drug Administration had requested information from manufacturers regarding the residual monomer concentrations in PVC packaging materials and results of migration studies into foods and food simulating solvents. Quite a number of the companies that responded indicated to the Food and Drug Administration that "work was continuing". We have now been requested by the Food and Drug Administration to ask those of you who informed the Food and Drug Administration that work was continuing to please supply updates as soon as you reasonably can. Basically, here, the Food and Drug Administration wants to be assured that it knows as much as it can about the possible migration of vinyl chloride to food.

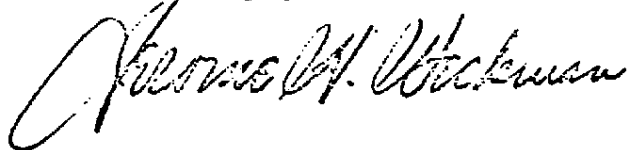
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With respect to EPA activities, the Task Force report is still in preparation. Based upon our current contact with EPA it would appear reasonable to expect that the Task Force report will be presented to the Administrator near the beginning of September, after which, policy decisions by EPA can be anticipated.

We do hope these regular letters are effective in keeping you informed regarding the various aspects of the plastics industry's most severe current crisis. Certainly we shall continue to keep you as fully and promptly informed as we can.

Cordially yours,

A handwritten signature in cursive script, reading "Thomas W. Wickman". The signature is written in dark ink and is positioned below the typed name "Thomas W. Wickman".

Enclosures