→ bcc: W. S. Clark
W. R. Corey
W. A. Pronek

March 9, 1972

Mr. L. R. Dickard
General Manager
Industrial Division
Fasson Products
250 Chestnut Street
Painesville, Ohio 44077

Dear Mr. Dickard:

We are writing to advise you that Monsanto has modified its policies concerning the future sale and delivery of our polychlorinated terphenyl (PCT) based product Arcelor 5460 to Fasson Products.

Monsanto also manufactures certain products containing polychlorinated biphenyls (PCBs). Studies have indicated PCBs may be accumulating in the environment. Because of Monsanto's concern over this problem, we have discontinued sales of PCBs, except in certain limited applications and under certain restrictive conditions. Although we were aware of no studies indicating PCTs are accumulating in the environment, Monsanto recently became concerned that, because of chemical similarities between PCBs and PCTs, future studies might indicate PCTs persist in the environment.

Without hard scientific data to guide us, Monsanto was faced with the difficult decisions of how to react responsibly toward the environment and our customers. After careful consideration, we concluded we could best fulfill our responsibilities by stopping further entry of PCTs of our manufacture into the environment by discontinuing sales. We instituted such a program and previously communicated to you our intention to discontinue sales of PCTs effective March 31, 1972.

Since implementing our program, we have received information which indicates that you will have an exceptional amount of difficulty switching to alternate materials within our original time schedule for discontinuing sales. We feel we can continue to act responsibly if we permit you to make a limited amount of additional purchases, provided we alert you to our concern that PCTs may persist in the environment. We, therefore, are advising you of the problem and urge that you exercise care in the handling, possession, use and disposition of the additional PCTs you may purchase from us. We enclose our technical bulletin on these products. We request that you note Page 22 and follow the instructions on our labels.

Further, we will make additional shipments only if purchases and delivery are made on or before June 30, 1972, subject to our normal commercial evaluation of each purchase order, and provided each customer has entered into an agreement to indemnify and hold Monsanto harmless with respect to such purchases. We also require that the financial condition of each customer must be such as to make these agreements meaningful in Monsanto's opinion. To meet this criteria, your company must:

a) have a net worth of $50,000,000 or

b) have comprehensive general liability insurance coverage of $5,000,000 covering product liability, blanket contractual liability, and pollution hazards if caused by a sudden and accidental occurrence.

Your company, therefore, will be considered for the purchase of additional quantities up to 20,000 pounds of our PCT-containing Aroclor 5460 subject to the conditions outlined above, provided the attached copies of the required indemnity agreements are signed by an authorized officer

on behalf of your company and are forwarded together with your most recent audited financial statement and any other information which you feel will assist Monsanto in its evaluation.

Until we have received signed copies of the enclosed agreement, it will not be possible for Monsanto to consider sales of the previously mentioned additional quantities of our PCT products to your company. Because of the necessity of scheduling the shut-down of our plant facilities, we need to have all of this necessary information in St. Louis by March 24, 1972.

If you have any questions or if you wish to meet with representatives of Monsanto management relative to this agreement, please telephone (314) 694-2791, or write to me directly at Monsanto Company, P. O. Box 14617, St. Louis, Missouri 63178.

We sincerely hope this decision to allow additional purchases during a limited period will enable you to effect a prompt and orderly switch to alternate materials. We also feel certain you share our concern for our environment and will recognize the decisions which have been taken by Monsanto are in the best interests of both of our companies.

Very truly yours,

James R. Springgate
Director
Plasticizers

/dbw
Enclosures