

Exhibit 58

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Dr. R. D. Wessel
Manager, Research & Development
Chevron Chemical Company
Ortho Division
940 Hensley Street
Richmond, California 94801
U. S. A.

AABS:EH

12th February 1969

Dear Dr. Wessel,

You will have learned from Dr. Dye that our discussion with Dr. Hayes was successful to the extent that he has given up his threat to withdraw registration of 'Gramoxone' in return for stronger label warnings, which will probably include POISON and skull-and-crossbones marking. The precise form of label alterations is to be agreed at a further meeting between Hayes and Dye later this month.

It was evident from our discussion that Hayes had been strongly influenced by the misrepresentations of the Cornell News Letter item on the bipyridyls and that he was quite confused about the nature of the lung damage caused by drinking paraquat and the relation of this effect to the possible hazards of inhaling spray mist in the course of the agricultural use of paraquat. We were able in the end to make the distinction clear to him, but, as you will see from the attached copy letter, I have thought it advisable to repeat in writing to him the main points of the argument. We formed the impression, particularly from Hayes' response to the suggestion of changes in labelling, that the threat of registration withdrawal made at an earlier meeting with Dye had been more a means of wresting just such a concession than a serious intent, and Dr. Gardner is to be congratulated on his accurate assessment of the situation. We look forward to the report of Dye's further meeting with Hayes.

As agreed, a note on the handling and use of paraquat is enclosed which should serve to correct some of the misleading statements that have been circulated by various State pesticide coordinators and extension agents.

There has now been an opportunity to read the copies of the earlier Chevron releases on paraquat and diquat which were handed over at our meeting and which I had not previously seen. Of the two 1966 releases, that dated 25th July, entitled "Diquat and Paraquat" and addressed to all marketing personnel, does not adequately bring out the considerable distinction between the toxicity of paraquat and

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that of diquat; while the other, headed "Paraquat : Cautions for Use and Handling" and issued during July 1966 to Ortho Technical Service and Research Personnel, contains some grossly incorrect statements. For instance, the fourth paragraph on the hazards of spray mist makes no distinction between large particles which impact in the nose and smaller "respirable" particles which can reach the lungs and which are not produced by low pressure spray equipment. It is also implied that delayed lung damage can result from this type of exposure, which is quite incorrect.

Other examples are the statements in paragraph 5 that "Paraquat can be absorbed through the skin and can cause delayed systemic reactions, including damage to the lungs", and in paragraph 6 that "Diluted paraquat presents a greater potential hazard than some herbicides in that the toxic effects are cumulative and delayed". It is unfortunate both that we have not had an opportunity to comment on this release until now and that it is continuing to be circulated by Chevron (see Chevron letters dated 23rd January 1969 to Dr. R. R. Kriner, New Jersey Pesticides Co-ordinator, and to Dr. James Dewey of Cornell University). We can hardly feel too aggrieved at publications like the Cornell News Letter when we have ourselves propagated such misrepresentations in the past, but I would strongly suggest that this particular document should not be given any further circulation.

Both Bill Boon and I felt that in our meeting with you in San Francisco we managed to achieve a common view on our current problems and on how they should be handled, and I hope that in our subsequent communications this can be effectively maintained. In this connection might I ask you to give some personal attention to the minor point of disagreement between our organisations on the question of paraquat and diquat metabolism which I raised at the end of our discussion, as this is a good example of the sort of irritating trivia that has interfered with effective communication in the past. The problem is fully covered in the following report and letters :

Chevron Ortho Report : 721.14, May 26th 1967, Beverly V. Tucker.

ICI letter, Dr. J. C. Gage to Miss Tucker, dated 14th July 1967.

Chevron letter, Dr. J. R. Thomas to Dr. W. R. Boon, dated 11th October 1967.

ICI letter, Dr. J. C. Gage to Dr. J. R. Thomas, 20th October 1967.

and some reply from Chevron is needed to close the discussion, as the Chevron report appeared at first sight to call in question work done here.

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Finally, may I say how pleased I was to meet you, and on behalf of Bill Boon and myself thank you and your wife for your excellent hospitality, which we both greatly enjoyed.

With kind regards,

Yours sincerely,

A. A. B. Swan

Copies to :

Dr. W. R. Boon, PPL

Mr. N. Wright, PPL

Mr. Ian D. Bruce, ICI America Inc.