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Atrazine EXPOSED Unsealed by the Court & Exposed by SourceWatch

From: Minehart Paul USWS
Sent: Monday, March 08, 2010 9:21 AM
To: Nadel Alan USGR
Cc: Ford Shery USGR; Goldsmith Steven USGR; Chris Robling (crobling@jaynethompson.com); (Jayne Thompson@jaynethompson.com); Josh Gilder (jgilder@whwg.com); Adelman Jessica USWS
Subject: Please review: Draft response for Huffington - Confidential - Attorney Client Privilege - Draft response for Huffington

Importance: High
Sensitivity: Confidential

Confidential - Attorney Client Privilege

Draft response to "What is Syngenta's response to cities who say they cannot afford the cost of filtering atrazine from public drinking water?"

The US EPA has affirmed a safety standard for atrazine of 3 ppb in drinking water. This level has a built-in, 1000-fold safety factor. As of 2008, none of the water systems monitored exceeded this federal standard. The levels of atrazine in water are minute -- a 150 lb adult could drink 21,000 gallons of water containing 3 ppb of atrazine/day for 70 years and still not reach levels shown to have no health effects in laboratory studies. Based on this, water systems do not need filtration beyond what they already provide.

In addition, in the Iberville Parish case, which was dismissed by Chief Judge Butler in Mobile in 1999. Judge Butler ruled that removing safe and approved levels of atrazine from drinking water was unnecessary and that shifting the costs of such unnecessary removal was wrong.

In the current economy many organizations, including water systems, are looking for additional sources of revenue. It is not surprising that some water systems would say they cannot afford additional filtering and, for atrazine, there is no need.

Paul Minehart
Head, Corporate Communications-North America
Syngenta Corporation
1399 New York Avenue, N.W., Suite 750
Washington, D.C. 20005
Mobile: 763-218-5907

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To: Nadel Alan USGR; Minehart Paul USWS; Goldsmith Steven USGR; Josh Gilder (jgilder@whwg.com); Chris Robling
Cc: Adelman Jessica USWS
Subject: RE: media inquiry: federal class action lawsuit?

Alan—Below (in red) is our response to this question specifically regarding the Holiday Shores case.

Drinking water across the country is safe where atrazine is concerned, as no community water systems exceed the annual average set for atrazine in drinking water. Filtration is therefore unnecessary.

Why shouldn't Syngenta pay for filtration systems if their product is contaminating water supplies?

Holiday Shores made an independent decision to upgrade its filtration system. Since 1997, annual averages of atrazine in raw water at Holiday Shores have always met the safe drinking water standard.

Further, a similar case in Iberville Parish (La.) was dismissed by Chief Judge Butler in Mobile in 1999. Judge Butler ruled that removing safe and approved levels of atrazine from drinking water was unnecessary and that shifting the costs of such unnecessary removal was wrong.

From: Nadel Alan USGR
Sent: Monday, March 08, 2010 9:37 AM
To: Minehart Paul USWS; Ford Sherry USGR; Goldsmith Steven USGR; Josh Gilder (jgilder@whwg.com); Chris Robling
Cc: Adelman Jessica USWS
Subject: RE: media inquiry: federal class action lawsuit?

Sherry and Steve:

Do we have anything from previous statements regarding why we should not have to pay for treatment?

Thanks,

Alan

From: Minehart Paul USWS
Sent: Friday, March 05, 2010 4:15 PM
To: Ford Sherry USGR; Goldsmith Steven USGR; Josh Gilder (jgilder@whwg.com); Chris Robling
Cc: Nadel Alan USGR; Adelman Jessica USWS
Subject: FW: media inquiry: federal class action lawsuit?
Importance: High

All –

Danielle is persistent: I just spoke with her. She said I did not respond to her questions! I explained that we cannot comment on the allegations she cited because we are not aware of any federal court action. She accepted that, but wanted a comment on question 3 (see highlighted below).

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She claimed that she has read media reports saying that there are cities who say they cannot afford the cost of filtering atrazine from public drinking water.

Can we respond to this? I said we would not be able to get back to her today and she said Monday morning is okay.

Paul Minehart

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From: danielle.ivory@gmail.com [mailto:danielle.ivory@gmail.com] **On Behalf Of** Danielle Ivory
Sent: Friday, March 05, 2010 3:59 PM
To: Minehart Paul USWS
Subject: Re: media inquiry: federal class action lawsuit?

Paul, thanks for this. I appreciate the statement, but I noticed that Syngenta did not respond directly to any of the questions that I asked, and I'd like to give the organization a fair chance to do so, particularly to question #3. I've included these questions again below.

I let me point out that the EPA's data from the monitoring program that you mentioned does show that atrazine does need to be removed from many public water systems across the country in order to comply with federal drinking water standards, and even then, some of those water systems have had levels of atrazine in their filtered drinking water above the 3ppb annual average, if EPA's testing data is used.

- (1) What is Syngenta's response to the allegations above?
- (2) What is Syngenta's response to news that cities will be filing a class action in federal court.
- (3) What is Syngenta's response to cities who say they cannot afford the cost of filtering atrazine from public drinking water.

If you could please get back to me before the end of the day, I would appreciate it.

Thanks very much,

Danielle

On Fri, Mar 5, 2010 at 3:18 PM, Paul.Minehart@SYNGENTA.COM <Paul.Minehart@syngenta.com> wrote:

Danielle,

We have not received any word of a federal action. What Syngenta can say is that EPA re-registered atrazine in 2006, stating it would cause no harm to the general population. EPA based its conclusions on nearly 6,000 studies and used reliable, sound science to re-register atrazine. EPA's atrazine regulation is a model of sound science carefully applied in its mission of protecting all Americans and our environment.

As a hallmark of good stewardship, Syngenta has worked voluntarily with stakeholders for years, and since then also with EPA, to monitor the water systems where minute detections of atrazine may occasionally occur.

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Since 2005, no water system has had an annual average atrazine level in its drinking water greater than the EPA standard, which itself carries a 1000-fold safety factor. Everyone should bear in mind that if a 150-pound adult drank literally thousands of gallons of water with atrazine at three parts-per-billion every day for 70 years, she still would not reach the exposure level at which no adverse impact has been detected in the laboratory.

Regards,

Paul Minehart

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From: danielle.ivory@gmail.com [mailto:danielle.ivory@gmail.com] **On Behalf Of** Danielle Ivory
Sent: Friday, March 05, 2010 10:27 AM
To: Minehart Paul USWS
Subject: Re: media inquiry: federal class action lawsuit?

Hi Paul, I'm checking in. Could you please get back to me today with responses to the questions below?

Thank you,

Danielle

917-280-2607

On Wed, Mar 3, 2010 at 12:15 PM, Danielle Ivory <divory@huffpostfund.org> wrote:

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Thanks, Paul. As I mentioned, I've been told that a federal class action suit will be filed sometime this week or next. My understanding is that the lawsuit will be filed in Illinois.

Here are the allegations, as I understand them:

Several cities in six states are alleging that Syngenta Crop Protection and Syngenta AG designed and sold atrazine knowing that it would contaminate public water. They are also alleging that Syngenta earned billions of dollars from the sale of atrazine, leaving local taxpayers with the bill for filtering the herbicide from their drinking water. This class action lawsuit is an attempt to force Syngenta to pay for the removal of atrazine from public water supplies.

I have some specific questions:

- (1) What is Syngenta's response to the allegations above?
- (2) What is Syngenta's response to news that cities will be filing a class action in federal court.
- (3) What is Syngenta's response to cities who say they cannot afford the cost of filtering atrazine from public drinking water.

Thanks again. If you could please get back to me by late today or tomorrow, that would be great. Yours,

danielle

917-280-2607

On Tue, Mar 2, 2010 at 6:33 PM, Danielle Ivory <divory@huffpostfund.org> wrote:

Dear Paul, thanks for speaking with me on the phone. I'm a reporter with the Huffington Post Investigative Fund, based in DC. In the past, I've written about atrazine and the EPA, which you can read on <http://huffpostfund.org>. I've been informed that sixteen cities located in Illinois, Indiana, Missouri, Kansas,

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Ohio, and Iowa will be filing a federal class action lawsuit sometime this week against Syngenta. I am interested in speaking with someone from Syngenta who can comment on this lawsuit and its allegations. My understanding is that the cities involved in the lawsuit want Syngenta to shoulder the cost of filtering atrazine from public drinking water. My deadline is tomorrow before noon, eastern time. All of my contact information is below -- please feel free to contact me on my cell phone at 917-280-2607.

Thanks,

Danielle

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