



May 10, 2004

The Dow Chemical Company
39 Old Ridgebury Road
Danbury, CT 06817-0001
U.S.A.

Mr. Terry Hill
President Industrial Chemicals
Univar USA
6100 Carillon Point
Kirkland, WA 98033-7357

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Re: **Product Stewardship Guidelines and Principles of The Dow Chemical Company**

Dear Mr. Hill:

The purpose of this letter is to reinforce to distributors of The Dow Chemical Company (Dow) your continuous obligations with respect to (1) the sale of Dow's Ethylene Glycol (EG) and Higher Glycol products into Dow supported applications only; and (2) Dow's Product Stewardship requirements. **Please send this letter to the appropriate Product Safety Director and/or Product Steward within your organization.**

This letter relates to sales of Dow's EG Products from the following families:

Ethylene Glycol (EG)
Diethylene Glycol (DEG)
Triethylene Glycol (TEG)
Tetraethylene Glycol (TETRA)
By-products of Glycol Manufacturing

NOTE: Dow reserves the right to make future additions or changes to this list of product families.

Sales of Dow EG Products

Since Dow's acquisition of Union Carbide Corporation (UCC), Dow has undertaken a continuing process to re-evaluate its participation in various market segments. This potential shift in the participation in various markets should not be construed to suggest any ineffectiveness of any Dow EG Product in a previously supported application. On the contrary, this evaluation was undertaken to review and communicate Dow's position in relation to support of future sales of Dow's EG Products. The following standards apply to all EG products sold by Dow on a go-forward basis. Dow will continue to stand behind any prior sale to a market or application that had previously knowingly been supported by either Dow or UCC.

The following bullet points identify some applications that are NOT supported by Dow for EG Products on a go-forward basis. The reasons for these limitations include areas in which we have decided not to pursue for general business reasons and actions which would minimize unnecessary risk and liabilities to the business. In addition, the following list of uses not

supported by Dow does not imply Dow's warranty of use in all applications not covered by this list.

Non-supported applications of Dow manufactured EG, DEG, TEG, TETRA, and By-Products of Glycol Manufacturing (Dow EG Products):

- The use of Dow EG Products in the production of tobacco and in the manufacture of tobacco products (including but not limited to additives, humectants, filters, inks, and paper) is not supported by Dow.
- The use of Dow EG Products for the generation of artificial smoke / theatrical fogs / mist is not supported by Dow.
- The use of Dow EG Products as ingredient in fuel for warming foods (Sterno™-like application) or in fuel for heating an enclosed space where human exposure is possible is not supported by Dow.
- The use of Dow EG Products in fire extinguishing sprinkler systems is not supported by Dow.
- The use of Dow EG Products in the manufacture of munitions is not supported by Dow.
- The use of Dow EG Products in the production of deicers for use on roadways and sidewalks is not supported by Dow.
- The use of Dow EG Products as a component of heat transfer fluids if the contact with potable water is possible is not supported by Dow.
- The use of Dow EG Products as a non-reacted component in a formulation for direct internal or external human contact, including, but not limited to ingestion, inhalation, and skin contact and in the manufacture of medical devices is not supported by Dow. (Examples of some such applications are uses as a direct component in foods, beverages, pharmaceuticals, cosmetics, or personal care products.)
- The use of Dow EG Products for deodorizing or air "purifying" purposes is not supported by Dow.
- The use of Dow EG Products as a non-reacted component in adhesives, plasticizers, and softening agents for food packaging is not supported by Dow.

To enter into new applications beyond the traditional standard industrial use applications, contact your Dow representative to review the specific application. Dow has a risk assessment process whereby the application will be reviewed and a determination will be made as to whether the application meets Dow's requirements and can therefore be supported by Dow. Further, any violation of or failure to comply with the information contained in Dow's Material Safety Data Sheet, Product Label, Product Information Guide, product literature or other product safety information is a misuse of Dow's EG and Higher Glycol Products. We can never specify all circumstances where misuse might occur, so if at any time a customer or downstream use appears to be improper or unsafe, please contact our Product Steward, Larry Bradford at (225) 353-6122.

Compliance with Dow's Product Stewardship Guidelines

As you are aware, Dow furnishes information to its distributors regarding safe handling, use and disposal of Dow's products. Such information is contained in Dow's Material Safety Data Sheets (MSDS), product labels, and product literature. At your request, Dow will send to you copies of its current MSDS and product literature for distribution to your customers. Please contact your Dow representative or Dow's Customer Information Group (1-800-447-4369) for free copies of the current MSDS and product literature.

As a Dow distributor, you and your employees have an obligation to be familiar with the safe handling, use and disposal information printed on Dow's product labels, MSDS, and in Dow's product literature. In addition, it is your continuing obligation as a Dow distributor to ensure that all of your customers to whom you sell Dow EG Products receive all current MSDSs and product information and receive relevant updated product information as it becomes available. This obligation applies whether the Dow EG Products are resold in containers packaged and labeled by Dow, in bulk, or in any other manner in which the product is identified as a Dow product.

Additionally, as a Dow distributor you have the obligation to do the following:

- (1) Adhere to and implement the principles of Responsible Care®, the Responsible Distribution Process®, or an equivalent program acceptable to Dow;
- (2) Maintain an active membership in the National Association of Chemical Distributors (NACD), and further participate in the NACD's Site Classification Verification Program (SCV);
- (3) Assess the safety aspects and environmental impact of products and take appropriate steps while the products are being stored, repackaged and transported to protect persons, property and the environment, including, but not limited to, allowing Dow or third party audits at your facilities, and share copies of audit reports with Dow upon request; and
- (4) Establish physical facilities, select carriers and perform physical distribution functions consistent with Dow and industry guidelines and standards, and agree to cooperate in inspections, training sessions and meetings that Dow may request to maximize product stewardship.

Further, as a Dow distributor you have a continuing obligation to ensure that each location (including customers' facilities) that stocks, handles, and ships Dow EG Products is properly equipped to do so safely in compliance with all applicable federal, state and local regulations. Employees or contractors who handle Dow EG Products must know and understand all procedures necessary to enable them to comply with government regulations and must be adequately trained to handle emergency situations arising from the transportation, handling and use of those products. When Dow EG Products are repackaged by your company, you must employ quality control procedures to assure that the products meet the same identity, strength, quality and purity as existed at the time of receipt of the product from Dow. All labeling must comply with industry standards and with all applicable laws and federal, state and local regulations. Finally, as a Dow distributor, you are required to discourage unsafe or improper applications of Dow EG Products by refusing to sell the products for applications not approved by Dow.

Failure to comply with any of the above will result in consequences up to and including the termination of our supplier/distributor relationship for Dow EG Products.

Thank you for this opportunity to revisit these guidelines. We appreciate your business and your role as a valued distributor of Dow's EG Products. Please contact me if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "William M. Snellings". The signature is written in a cursive style with a horizontal line underneath the name.

William M. Snellings, Ph.D.
Global EH&S Product Leader
The Dow Chemical Company
39 Old Ridgebury Road
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Phone: (203) 794-3588