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The Roots of Agent Orange

This is the second in a series detailing the discovery, the military use, the legal battles over the damaging effects, and the massive ongoing cover-up of Monsanto's Agent Orange.

It was an accidental discovery. The year was 1943 and plant biologist Arthur Galston was studying the compound triiodobenzoic acid for uses as a plant growth hormone. His goal was to find a way to adapt soybeans to a shorter growing season. Though the chemical showed positive results toward his goal, he discovered a more negative impact on plant life. If used in excess, TIBA (triiodobenzoic acid) caused catastrophic defoliation of plants. This finding would be used later by Galston's friend and colleague, Ian Sussex, to develop herbicides which, by the 1950's, were in widespread use.

In 1951, scientists for the Department of Defense were investigating biological warfare. It was at Fort Detrick, Maryland that they began investigating defoliants based on Galston's discoveries. Eventually, their experiments produced Agent Orange, named so for the orange colored band around the chemical storage drums.

With the onset of war in Vietnam, the US military went about solving the problem of the dense jungle foliage easily providing cover for enemy troops. Using its authority under the Defense Production Act, the government issued contracts to seven chemical companies to supply herbicides to combat the foliage. The government specified the exact chemical composition of the herbicides to be manufactured, as well as maintaining control over where and how they were to be administered in the field, including rates of application. There were fifteen herbicides designated but Agent Orange was the one most often used.

Those companies awarded military contracts were Thompson Chemicals Corporation, Hercules, Inc., Diamond Shamrock Corporation, T-H Agricultural and Nutrition Company, Uniroyal, Inc., Dow Chemical Company, and Monsanto Company. Monsanto manufactured Agent Orange from 1965 through 1969.

From 1962 through 1971, twenty million gallons of Agent Orange was sprayed across the Vietnamese landscape. Internal memos from the war era confirm that manufacturers of the herbicide knew it contained dioxins. However, they claim there was no clear indication that dioxins were hazardous to humans, at that time. But even if Monsanto, Dow and the others truly didn't know the dangers, the US military certainly did.

Unbeknownst to the average American today, the US government was deeply entrenched in efforts to encourage a war between the North and South Vietnamese since President Truman's time. The South Vietnamese government (whom we secretly aided and abetted) asked to have trials conducted of the herbicide for use against the northern guerrilla forces. These tests were carried out in Thailand by Fort Detrick personnel prior to handing over the chemicals.

How the US became involved with the Vietnam civil war: <http://www.vietvet.org/jeffviet.htm>

The chemicals used in Agent Orange are 2-4-5-T and 2-4-D. It's 2-4-5-T which is the more hazardous of the two. In 1949, at the Monsanto owned chemical plant located in Nitro, West Virginia, an explosion occurred during the production of the chemical. 228 workers developed chloracne. The same illness was found among workers at a German plant in 1953. In addition to the workers, many of the wives, children and pets were affected. Several months after the appearance of chloracne, there was an explosion. Medical examinations later performed on the workers revealed severely

damaged internal organs (from chemical exposure), high blood pressure, myocardial degeneration, severe depression, and memory disturbances. Fifteen years following the explosion, the chloracne persisted in spite of treatment and no further exposure.

A third explosion took place in Amsterdam in 1963. Fifty workers developed chloracne, psychological disturbances and internal organ damage, resulting in the plant being closed. Ten years later the plant was still so excessively contaminated with Dioxin that it was dismantled, embedded in concrete and buried at sea. Then in 1964, Dow Chemical, the largest domestic producer of Agent Orange experienced an outbreak of Chloracne where more than 70 workers were affected.

Also in 1964, when spraying was increasing rapidly in Vietnam, reports began circulating about numerous miscarriages and stillbirths, as well as birth defects among the exposed population and local animals. Two years later, the US government started studies on the teratogenic effects (of or relating to embryonic malformations) of 2-4-5-T. Conducted by Bionetics Research Laboratories of Bethesda, Maryland, for the National Cancer Institute, the findings were suppressed until 1969. The lab rats and mice exposed, delivered offspring that were either dead, or deformed with cleft palates, no eyes, cystic kidneys and enlarged livers. Based on these findings, it was determined that use of the chemical should be restricted from populated areas and on food crops.

Dow objected to the findings and demanded another repeat study, claiming that the sample used had an unusually high amount of Dioxin. Even though more tests were completed on the chemical, including some minus any dioxin at all, the dead or deformed offspring of exposed animals continued to be the end result.

While the spraying of Vietnam jungles was going on, Dr. Galston became concerned about potential harm to human beings who might be exposed. As early as 1965, he and several other scientists presented the case of potential harm and urged the government to stop using Agent Orange. They lobbied the Department of Defense to conduct toxicological studies. These very same studies found that the compounds being used in Agent Orange could be linked to birth defects in rats. This information in 1971 led President Nixon to ban further use of the defoliant in the war effort.

Maude De Victor was a caseworker at the Veterans Affairs office in Chicago in 1977. That year she met the widow of a veteran who had died from lung cancer and believed his cancer was related to his exposure to agent orange during his tour in Vietnam. Dedicated to her job, De Victor started asking around to other veterans regarding their possible exposure to the chemical. She also began questioning the Department of Defense, Dow Chemical Company, and the Department of Veterans Affairs in Washington, DC about Agent Orange, wanting information about the known health impacts of the chemical.

Word of her crusade was getting around, and by the time she had collected about two dozen files of veterans claiming Agent Orange exposure induced health damages, her boss at the VA demanded she stop her investigation. Not one to be stopped so easily, she took her files to an investigative reporter who worked at CBS in Chicago. Bill Kurtis took up the case and began interviewing researchers about dioxin and interviewing veterans who were sick or had children with birth defects. In March 1978, the story "Agent Orange: Vietnam's Deadly Fog" aired on television prompting hundreds of veterans to contact the VA in Chicago.

Claims for disability payments and healthcare had previously been filed by veterans believing Agent Orange was the culprit behind illnesses suffered. But the Dept. of Veteran's Affairs denied their claims unless they could prove that the condition began when they were in the service or within one year of their discharge. With the airing of the documentary, concerns were raised at the VA. Their

main focus was how to respond to the complaints without lending support to their cases that illnesses were a result of chemical exposure.

The answer to the dilemma was to develop an Agent Orange Policy Group headed by none other than a former Monsanto researcher. They consulted with other industry researchers in an attempt to determine if there were long term effects rather than the known short term ones already identified with dioxins. In spite of information from the EPA that scientific research had found dioxin to be a health hazard, the VA maintained its belief that Agent Orange/dioxin would only cause short term damages that were reversible.

Paul Reutershan was a twenty-eight year old veteran who believed his chloracne and abdominal cancer was caused by his exposure to Agent Orange. Following the denial of his claim to the VA, he filed a personal injury lawsuit against the Dow Chemical Company and two others that produced Agent Orange. The case was filed in New York courts and received mass media attention, with Paul appearing on the Today Show in the spring of 1978.

Before he died in December 1978, he founded the Agent Orange Victims International, requesting that its few members carry on the fight. A workman's compensation attorney was brought in and Victor Yannacone filed Reutershan's complaint as a class action lawsuit against six chemical companies. They were Dow, Monsanto, Northwest Industries, North American Phillips, Diamond Shamrock, and Hercules, Inc.

As word spread about the lawsuit, attorneys around the country began adding the names of their clients to the growing case. It received huge media attention and finally landed in the courtroom of Jack Weinstein, 2nd Circuit Court of Appeals in NYC six years later. The judge promptly took it upon himself to determine the class as ALL veterans who served in Vietnam between 1961 and 1972, including those also from New Zealand and Australia, who believed they or their children were harmed from exposure. The night before the trial was to begin, Judge Weinstein worked out a settlement. Though he believed the case was weak, he urged the chemical companies to agree to the settlement because of the unlikelihood that they would find a jury unsympathetic to the veterans and their children. The companies agreed to the settlement so long as they didn't have to admit any liability.

Though it was the largest settlement in history, \$180 million doesn't go far when paying health and disability to 52,000 American veterans, as well as those from two other countries. The average payment was about \$3,800. The fight for justice has not ended with the pitiful settlement offered. There were literally hundreds of thousands of veterans exposed to Agent Orange. In addition, the numbers are multiplied by the children born to them and possibly to their children as well.

The real travesty resulting from the \$180 million settlement rests in the fact that Judge Weinstein made a decision to include ALL veterans as being represented in the class action suit. What this means to every veteran who developed illnesses after the settlement, is no recourse of action. These men and their families are left without a dime to help pay for deadly and debilitating illnesses. Since 1977, Vietnam War veterans have been lobbying the US government to pay the medical expenses incurred through their contact with Agent Orange. Finally, Congress passed the Agent Orange Act in 1991. The act provides extra medical help and disability payment to Vietnam veterans who developed certain medical conditions.

[Source](#)

