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Secret Agent Orange: A Monsanto Web of Deceit

This is the third 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.

The vultures, otherwise known as Monsanto, must have been hovering close, eager to snap up the multimillion dollar war contract being offered to them and six other chemical companies (including Dow) in 1960. The US Dept. of Defense was asking for herbicides to be manufactured using a combination of chemical defoliants that would devastate the Vietnamese jungles, as well as decimating their crops.

During the course of the war, more than 20 million gallons of Agent Orange (AO) was sprayed across sections of Vietnam, Laos, and Cambodia. 12% of Vietnam's entire area was sprayed with an average concentration rate thirteen times the recommended USDA application rate for domestic use. Up until 1965, the military maintained that the spraying was for the purpose of reducing cover for the enemy. Finally they acknowledged to members of Congress that "crop destruction is understood to be the more important purpose...but emphasis is placed on jungle defoliation, in public..." The soldiers were told they were spraying crops for the purpose of eliminating the food supply of the enemy.

Following the return of veterans to the US, lawsuits charging that exposure to AO was the cause of myriad life altering illnesses, as well as deaths, were filed by veterans. Legal battles ensued and the success or failure of winning compensation for injuries rested in the hands of researchers to either prove or disprove the toxicity of Agent Orange.

Enter Monsanto and Dow, among others, who claimed that the herbicides weren't harmful to humans. They submitted several of their own studies on the long term health effects of workers exposed to dioxin. The studies were published in medical and scientific journals between 1980 and 1984. This was during the time they first found themselves to be under the legal gun.

To prove their point, Monsanto presented their own study done on medical data from a 1949 explosion at their Nitro, West Virginia chemical plant. Within days of the explosion, workers began having eruptions of chloracne, some of them also suffering from severe pains in their legs, chests, and trunks. According to Monsanto, many years later, none of the afflicted were suffering or exhibiting any more health problems than those who hadn't been exposed. Monsanto issued a press release headlined, "Study Fails to Link Agent Orange to Deaths of Industrial Workers".

Not one of their studies showed any significant increase in cancers among the exposed employees. Because the exposures were extremely high and Monsanto claimed no noticeable difference in overall health, the submitted studies were used by the EPA in making their own evaluations: "The human evidence supporting an association between 2,3,7,8-TCDD (dioxin, the manufacturing by-product of AO) and cancer is considered inadequate." The conclusion to be drawn from Monsanto's studies was that humans were not susceptible to the chemical in the same manner as were animals.

It's interesting to note that only the studies completed by the manufacturers themselves and the federal government, were admitted as evidence in the initial class action suit filed. Judge Jack Weinstein refused to allow studies completed by independent experts hired by the veterans who had brought the suit. What's even more interesting is that the state of New Jersey created the new Jersey Agent Orange Commission to study the effects of AO in 1980. It was the first such commission and was done in association with Rutgers University. During the first phase of "The Pointman Project"

researchers compared levels of dioxin in the blood of Veterans exposed versus those who had not been exposed. The findings were published in 1988 in the Journal of the American Medical Association. And still the denial of benefits for AO exposure related injuries was maintained by the VA.

In 1980, while Monsanto and Dow were preparing for battle with the veterans' class action suit, Francis Kemner and others filed a suit in Missouri state court (Kemner et al v. Monsanto Company). The year before a freight train derailment caused a tank car to spill 19,000 gallons of chlorophenol intermediate (OCP-crude) containing dioxin. It was the longest running trial in history at that time, lasting for three years and eight months. In the end, the jury felt that the plaintiffs hadn't proven a case of having suffered any harm from the spill and only awarded them one dollar. However, the jury was outraged at the abominable behavior of Monsanto and awarded \$16 million in punitive damages. The allegations made against Monsanto by the plaintiffs included:

- Monsanto failed to notify and lied to the employees regarding the presence and danger of dioxin in the chlorophenol plant in order to avoid the expense of changing the manufacturing process
- Monsanto was aware of a way to produce chlorophenol with significantly less dioxin but failed to do so
- Monsanto knowingly dumped between 30 to 40 pounds of dioxin into the Mississippi River between 1970 and 1977, allowing the possibility of it entering the food chain
- Monsanto lied to the EPA, saying they had no knowledge that the plant effluent contained dioxin
- Monsanto secretly tested the corpses of those killed by accident in St. Louis for the presence of dioxin and found it in every case.
- The product Lysol, which is made with Monsanto's Santophen, was contaminated with dioxin with Monsanto's knowledge. (Lysol is used for cleaning baby toys and other cleaning activities involving human contact)
- Monsanto failed to inform Lysol manufacturers of the presence of dioxin out of fear of a loss of business
- Companies who specifically asked Monsanto about the presence of dioxin were lied to
- Monsanto was aware that their domestic lawn care products contained dioxin-contaminate
- Monsanto continued to knowingly sell contaminated products to the public without warning for over thirty years
- Following a spill at the chlorophenol plant, OSHA measured dioxin on the plant walls. Monsanto conducted their own measurements finding them to be even higher than those of OSHA. They issued a press release and lied to OSHA claiming that they had failed to confirm OSHA's findings
- Exposed Monsanto workers weren't told about the presence of dioxin and were not given any protective gear even though the company was aware of the dangers
- Monsanto failed to notify the EPA of the presence of hazardous substances in their products even though legally required to do so. They lied in reports to the EPA
- Monsanto lied to the EPA by claiming dioxin was too dangerous to test in their labs and they were not equipped to do so
- During the trial, a Monsanto executive argued that low levels of dioxin weren't reported to the EPA because to do so would merely fuel the media fires.

Monsanto fought the decision, filing an appeal. To lose such a case would open the door to every consumer who had ever used Lysol, Weed-B-Gone, and many other products, being awarded damages. Monsanto and other chemical companies would be put out of business. The company won

the appeal based on the grounds that punitive awards can't be made in the absence of actual damages.

Cate Jenkins was a chemist with a PhD who worked at the EPA. With more and more substantiated evidence of the deadly hazards associated with dioxins piling up, she became convinced that Monsanto's studies were fraudulently done and sent a letter to the EPA Science Advisory Board informing them of her beliefs. There was considerable press regarding the accusations and in August 1990, the EPA made the decision to launch a criminal investigation of Monsanto.

The investigation dragged on for two years, amidst vehement lobbying by Monsanto and cries of foul play. The EPA assured it would "investigate any allegations of fraud and, if appropriate, evaluate the full range of enforcement options". Those responsible for the investigation failed to live up to their promises, choosing instead to investigate and illegally harass Cate Jenkins for being a whistleblower. In August of 1992, the case was closed without ever determining or attempting to determine if the Monsanto studies were valid or fraudulent. William Sanjour, a Policy Analyst who assessed the Monsanto Investigation fiasco, claimed the very investigation and the reasons for closing it were fraudulent in themselves.

Read the complete analysis: <http://home.comcast.net/~jurason/main/monsanto.htm>

Memorandum from Cate Jenkins titled "Monsanto Corporation Criminal Investigation, Cover-up of Dioxin Contamination in Products, Falsification of Dioxin Health Studies. Dated Nov. 15, 1990:

<http://www.mindfully.org/Pesticide/Monsanto-Coverup-Dioxin-USEPA15nov90.htm>

Corrupt Research, How the Toxicity of Dioxin was Concealed:

<http://www.combat-monsanto.co.uk/spip.php?article240>

Cate Jenkins knew that through the lies perpetrated by Monsanto's false studies and reports, the EPA had set standards that were endangering the general public. Other government agencies were following suit, spreading the likelihood of mass public contamination. In her memorandum, she inserted a list of references that are very telling of collusion between various personalities employed by government agencies and Monsanto.

That there were divided factions in the EPA and the Science Advisory Board is evident. When the EPA published its findings in regards to classifying dioxin as a known animal carcinogen and probable human carcinogen, the SAB (Science Advisory Board) called the evidence for humans "uncertain" in 1985. A year later, Greenpeace uncovered collusion between the EPA and the paper bleaching industry to keep the detection of dioxin laced discharges from the mills a secret. Another year later, documents are leaked from the American Paper Institute that reveal the industry's strategy to "Get the EPA to 'rethink' dioxin risk assessment" prompted by "unsound scientific data". Then the Chlorine Institute launched a campaign designed to downplay dioxin dangers claiming that dioxin is "much less toxic to humans than originally believed", misrepresenting the scientific opinion. EPA administrator, Bill Reilly followed suit by telling the New York Times that new information suggesting a lower risk assessment should be applied.

From 1992 through the present there has been mounting unequivocal evidence regarding the toxicity of dioxin. Various members of the EPA and the SAB have been attempting to side-step the issues, and dragging their feet about finalizing standards. The EPA dioxin hazard reassessment report, due

out in 1985, has yet to be published. The timeline of EPA stalling is becoming evident to the watching public that the US government is equally interested in maintaining a cover-up.

- April 2011: Rep. Markey and 72 members of Congress sent a letter to the EPA calling on the agency to release its study. <http://markey.house.gov/press-release/april-11-2011-markey-leads-call-epa-speed-action-dioxin>
- August 2011: EPA announced its final plan for completing their study on dioxin. <http://cfpub.epa.gov/ncea/cfm/recordisplay.cfm?deid=209690>
- December 2011: The American Chemistry Council and coalition of agricultural trade associations pressure the EPA to delay the release of the EPA's noncancer dioxin study scheduled to be released the end of January 2012. <http://www.americanchemistry.com/Policy/Regulatory-Reform/Cal-Dooley-Letter-to-Administrator-Jackson-Fix-Dioxin-Reassessment.pdf>
- January 2010: The EPA announced dioxin releases increased by 18% from 2009-2010, and dioxin air releases increased by 10%
- January 10, 2012: Rep. Ed Markey, Ranking Member of the Natural Resources Committee and senior member of the energy and Commerce Committee, sent the EPA a letter urging the agency to complete the dioxin study. <http://markey.house.gov/press-release/markey-epa-no-more-delays-dioxin-health-assessment>
- January 26, 2012: Thousands of individuals and organizations from across the United States have written to the EPA requesting the agency to finalize this study once and for all. <http://chej.org/wp-content/uploads/PVCSignOnLetterJanuary26.pdf>

The evidenced contradictory findings, instances of fraud, refusal to investigate criminal accusations, harassment of whistleblowers, in addition to the repeated failure of the Veteran's Administration to properly address veterans' claims, would seem to support a massive cover-up of a magnitude never before seen. The question begs to be asked....why would the US government be a partner in creating smokescreens and illusions designed to defraud both the public and itself? The most obvious answer as to why Monsanto and Dow would commit fraud and engage in cover-up tactics is almost too easy. As businesses that could be destroyed by hundreds of thousands of lawsuits, it's in their best interests to attempt to avoid opening that door.

BUT WHY DO FACTIONS IN OUR GOVERNMENT CONTINUE TO PROTECT MONSANTO, a company recognized to have absolutely no regard for human life or rights???

