

Vietnam: Chemical companies, US authorities knew the dangers of Agent Orange

By [Jon Dillingham](#)

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August 10, 2009, was the first Orange Day organised in Vietnam -- not only to be remembered by victims of Agent Orange but to mark Vietnam's common pain. Those responsible for exposing Vietnamese citizens and US troops to toxic defoliants kept silent about known health implications, a review of documents finds.

US chemical companies that made Agent Orange and the government and military authorities who ordered its spraying on Vietnam knew the human health toll it could take, according to official and unofficial documents detailing the history of the deadly defoliant.

A review of the documents related to the use of Agent Orange -- a dioxin-laden herbicide -- in Vietnam, including decades-old declassified papers from the companies that manufactured it and the government and military that used it, provides compelling evidence that those in charge also concealed evidence of the devastating effects it could have on people.

A declassified letter by V.K. Rowe at Dow's Biochemical Research Library to Bioproducts Manager Ross Milholland dated June 24, 1965 clearly states that the company knew the dioxin in their products, including Agent Orange, could hurt people.

In reference to 2,4,5-trichlorophenol and 2,3,7,8-tetrachlorodibenzodioxin (components of Agent Orange), Rowe stated:

"This material is exceptionally toxic; it has a tremendous potential for producing chloracne and systemic injury."

Rowe worried the company would suffer if word got out.

"The whole 2,4,5-T industry would be hard hit and I would expect restrictive legislation, either barring the material or putting very rigid controls upon it."

So he said the company should keep quiet about the toxicity: "There is no reason why we cannot get this problem under strict control and thereby hopefully avoid restrictive legislation ... I trust you will be very judicious in your use of this information. It could be quite embarrassing if it were misinterpreted or misused ... P.S. Under no circumstances may this letter be reproduced, shown, or sent to anyone outside of Dow."

Dow played its cards right, never getting in serious trouble. The spraying of Agent Orange in Vietnam went on for another six years.

Dow did not return phone calls and emails requesting comment on the Agent Orange issue.

'Undisputed'

In the latest case of US veterans trying to sue Dow and Monsanto for their cancers related to Agent Orange exposure, Supreme Court documents related to a petition for a Writ of Certiorari in Daniel Raymond Stephenson, et al., petitioners, v. Dow Chemical Company, Monsanto Company, et al., respondents, further implicate the companies in cover-ups and misinformation.

The petitioners state that the companies knew their dioxins, such as those used in Agent Orange, were harmful and lied about it while concealing information, including the fact that several factory workers had fallen sick after exposure to dioxin.

Several key facts "remain undisputed," according to the document:

"Respondents never shared the information in their sole possession about health risks attributable to dioxin", it said. "Respondents used proprietary, defective manufacturing

processes that dangerously contaminated 2,4,5-T with dioxin." That is, the chemical companies could have manufactured their products without dioxin, as other companies had done, but the process was slower and more expensive, so they chose a more dangerous method.

The companies "secretly tested their products for dioxin and hid its extreme toxicity from the military", according to the petitioners.

The petitioners stated that the companies had been hiding information during the ongoing court process: "Respondents also misrepresent today's medical understanding of the injuries caused by exposure to dioxin. Instead of telling this Court that the NAS/IOM has found that numerous cancers have been related to exposure to dioxin-contaminated 2,4,5-T (ingredient in Agent Orange) they quote a twenty-year-old Second Circuit opinion to say: 'Even today,...no...evidence that Agent Orange was hazardous to human health.'"

The petitioners said the companies had misrepresented the health effects with "patently false" assertions that none of their workers had gotten sick from dioxin poisoning.

Inside job

Though numerous studies have uncontroversially demonstrated the devastating effects of dioxin exposure on humans, the companies that manufactured Agent Orange have gone out of their way to offer their own unique perspective.

Through 2004, Dow and Monsanto funded several friendly studies by Dr Alvin L. Young to show that the exposure of US ground forces to Agent Orange should be of minimal health concern.

Young's schizophrenic reports go back and forth from saying that dioxins are not harmful to saying they are harmful and his largely debunked studies have drawn the scorn of prominent members of the scientific community.

"Young is paid by the chemical companies", Dr. Wayne Dwernychuk, a retired senior/advisor at Hatfield Consultants, told *Thanh Nien Daily*. "I don't believe a word he says." Hatfield Consultants is a research leader in the field of contamination from dioxin herbicides in Vietnam.

Not overly concerned

Though reports point to the fact that chemical companies like Dow and Monsanto knowingly hid evidence of dioxin-related medical problems from the government, the declassified 1990 *Zumwalt Report* suggests that US military experts knew that Agent Orange was harmful at the time of its use.

The report quotes a 1988 letter from Dr. James R. Clary, a former government scientist with the Chemical Weapons Branch, to Senator Tom Daschle. Dr. Clary was involved in designing tanks that sprayed herbicides and defoliants in Vietnam, according to the report.

Clary told Daschle:

When we (military scientists) initiated the herbicide program in the 1960's, we

were aware of the potential for damage due to dioxin contamination in the herbicide. We were even aware that the 'military' formulation had a higher dioxin concentration than the 'civilian' version due to the lower cost and speed of manufacture. However, because the material was to be used on the 'enemy', none of us were overly concerned. We never considered a scenario in which our own personnel would become contaminated with the herbicide. And, if we had, we would have expected our own government to give assistance to veterans so contaminated.

Chemical warfare: calling a spade a spade

Supporters of the US Agent Orange campaign prefer to call it an "herbicide program" rather than chemical warfare. But official documents reveal that the US Senate knew its real name.

In US Senate Congressional Records dated August 11, 1969, a table presented to senators showed that congress clearly classified 2,4-D and 2,4,5-T (main components of Agent Orange) in the Chemical and Biological Warfare category.

The table also includes Cacodylic Acid, a main component of Agent Blue, another chemical sprayed on Vietnam to kill plants, in the official Chemical and Biological Warfare category. The table describes it as "an arsenic-base compound... heavy concentrations will cause arsenical poisoning in humans. Widely used in Vietnam. It is composed of 54.29 percent arsenic".

As Vietnam War scholar and US veteran W.D. Ehrhart put it concisely in a *Thanh Nien Daily* interview last week: "It would be hard to describe Agent Orange as anything other than a chemical weapon. Dioxin is a chemical."

So is arsenic.

[*Thanh Nien* is the flagship publication of the Vietnam National Youth Federation.]

US chemical companies concealed effects of dioxin, say advocates

By **An Dien** and **Jon Dillingham**

[Thanh Nien](#) — August 6, 2009 — A US lawyer and a French activist say chemical companies that produced Agent Orange, a toxic defoliant used by the US Army during the Vietnam War, connived to cover up its dangers.

The following are excerpts from interviews conducted with Gerson H. Smoger, a lawyer who has represented US Agent Orange victims for years, and Marie H el ene Lavallard, a member of the French-Vietnamese Friendship Association, in which they reveal how US chemical companies hid the fact that they knew how hazardous Agent Orange was.

***Thanh Nien Daily*: How can these companies get away with compensating Americans but not Vietnamese?**

Smoger: I would not say that they "got away with compensating", because I can assure you that the responsible chemical companies had no interest in compensating anyone. Also, unfortunately, the chemical companies have never really compensated the vast majority of

American veterans either. While there was a settlement entered into in 1984, the money ran out in 1994. Of the 2.4 million Americans who served in Vietnam, only about 60,000 ever received anything from the companies... Given how long it takes to get cancer from the chemicals, virtually none of the veterans who got cancer have received any compensation from the companies...

...I have reviewed literally millions of pages of documents... It seems that the manufacturers conspired to hide the dangers from the US government and the rest of the world. The chemical companies knew about the dangers and held secret meetings with the purpose of conspiring to keep the knowledge of the dangers from the US government.

Lavallard: The first thing to do is consider separately the 1984 agreement [with US veterans] and the 2004-2008 lawsuit [filed by Vietnamese victims], not because they are separated by 20 years, though they are, but because they have almost nothing in common. The settlement of 1984 was not a judgement; on the contrary it was made to avoid a lawsuit... Why did the parties choose a private settlement?

One has to consider the background. In 1980, 1983 and 1984, three studies were published by Dr George Roush, the medical director of Monsanto. They asserted, especially the last two, that Agent Orange had no inconvenient effects on human health. Of course, they were faked but that was discovered only years later. At the time they were "the Truth". So the veterans were afraid of losing everything with the lawsuit and preferred a settlement... On Monsanto's side, they were up to the nostrils in the Times Beach scandal, a small town so contaminated by TCDD that finally the US government bought it all in February 1983 and had it scratched from the surface of the Earth. Monsanto was guilty and was organising its defence. It did not need the bad publicity of a lawsuit for Agent Orange. Do not ask if it escaped the Times Beach condemnation, it did, having people destroying the necessary documents.

Not the slightest "moral" feeling in this settlement. Just a cynical and clever way to pay a small sum to avoid a bigger disgrace. The amount was ridiculous. Once the lawyers had taken their share, the compensations for some 40,000 people ranged from US\$256-12,800, with an estimated mean of \$4000. Even in 1984 it was not much. For those who received their share in the last years up to 1994 it was simply alms ... the judge did not rule in favour of the American victims. It was a private settlement, such as the American law permits. It was not generous.

As for the Vietnamese victims, be sure the corporations do not care at all for them. They knew their herbicides were lethal, and they got along to hide it from the US Army at a Dow-Monsanto secret meeting in 1965. They could have produced the herbicides with much less TCDD, or even without it, but they were only interested in making as much money as possible selling as many gallons as possible as quickly as possible.

Should the US do more to help clean up Agent Orange "hot-spots" in Vietnam?

Lavallard: Easy question. The US government requested and obtained \$120 million from Hercules, a chemical company that manufactured herbicides for the war and moved to another place without cleaning its former plant. Just calculate!

Whatever the "legal" aspect, the USA is responsible for poisoning huge parts of Vietnam. They made the mess, they have to clean it. I notice that this question is much easier than

the question of sanitary damages. For those, there are still arguments about proof, scientific enough or not, diseases due to sprayings or other reasons, etc. But for the environment, the question is perfectly clear: the US wanted to destroy the forest, it succeeded. The US wanted to [force] the peasants away from their rice fields, they did. The US wanted to destroy the crops, it did, and some contaminated areas remain unsuitable and dangerous to live in.

Spread the message, carry the fight

By **Len Aldis**

[Thanh Nien](#) — August 10, 2009 — Over the past week and especially today, the call for justice for victims of Agent Orange has been heard and seen around Vietnam and the world, through print and through radio and television.

The Vietnam Association for the Victims of Agent Orange/Dioxin (VAVA) and VTV4 have done valuable work to advance the cause.

All are to be congratulated, and mention must be of the role played by Thanh Nien through its informative articles published these days, giving voice to international friends of Vietnam and the Vietnamese victims.

Today via the internet with its stupendous reach, the message of Orange Day has been carried far and wide, and no one can be unaware of the tragic legacy that has been borne by hundreds of thousands of innocents by the use of chemicals in the Vietnam War, and in particular Agent Orange.

We have seen and read of the tragic stories of the victims, we have seen the horrific photographs of them and their families, we have also seen the humanitarian work being carried out within Vietnam by VAVA, the Vietnam Red Cross and international NGOs.

Our thanks should also go to the US NGOs working in Vietnam helping to remove from the soil of Vietnam massive amounts of unexploded bombs that, today, 34 years after the end of the war, are still killing and maiming innocent men, women and children.

The past ten days have been remarkable in bringing the message of international solidarity to the victims of Agent Orange from many corners of the world with the continuing call for justice.

And after August 10?

All of us must increase our roles and strengthen the international campaign for justice. The companies responsible -- Monsanto, Dow, etc. — cannot and must not escape from the horrific crimes they carried out with Agent Orange. Until they accept their responsibility, and compensate all the victims and their families, we should campaign for an international embargo on all their products.

[Len Aldis is the secretary of the Britain-Vietnam Friendship Society.]

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