

Agent Orange case papers demanded

By STUART RINTOUL

THE Federal Government has asked for all documents related to a United States court case that appears to raise doubts about evidence accepted by the Evans Royal Commission into the effects of chemicals used during the Vietnam war.

The US court documents will in the first instance be examined by the special projects office of the Department of Veterans Affairs, which has responsibility for dealing with continuing uncertainties of Justice Evans's report.

The Australian reported on Saturday that grave doubts had emerged about evidence accepted by the royal commission after a \$10.25 million punitive damages award against the Monsanto chemical company by an Illinois jury.

The decision came after a 34-year trial — the longest civil jury trial in US history — over a spillage of chemicals in the town of Sturgeon, Missouri, in January 1979.

Lawyers for the 65 plaintiffs in the case alleged that there were "literally hundreds of admissions" that Monsanto was selling dioxin-contaminated chlorophenol products to

its customers for nearly 30 years.

They alleged that fraudulent reports were prepared and reports were concealed by Monsanto to show that DDT — one of the ingredients of Agent Orange — did not cause cancer when the opposite was true.

Among these reports were several by Dr Raymond Siskind, 23, of the University of Cincinnati, whose evidence to the royal commission was described by Justice Evans as "positive".

Monsanto has appealed against the jury's award and has denied all claims that it produced fraudulent reports.

After two years of hearings, Justice Evans reported in 1980 that Agent Orange was "not guilty" of causing a range of health problems among Vietnamese veterans, including cancer, and health problems and birth deformities among their children.

The director of the special projects office, Mr Michael Smith, said yesterday that the material would be looked at and a report given to the Minister for Veterans Affairs, Mr Humphreys.

But he warned that Dr Siskind's evidence may have represented "only one paper among 100,000 hundred" looked at by Justice Evans.

Vietnam veterans have said

the jury's finding has given them "fresh hopes that the royal commission will be discredited".

Veterans in Australia, the US and New Zealand shared more than \$300 million in an out-of-court settlement by the seven chemical companies involved in supplying chemicals for Vietnam in 1984, but have found that the royal commission is used by governments to deny veterans, widows and their children pensions based on exposure to chemicals.

A Melbourne lawyer, who has been fighting to have the royal commission's findings thrown out, Mr Philip Hollow, said yesterday the case had "so tainted Monsanto's credibility that it discredited the commission's findings".

"At the royal commission, Monsanto was accepted as being with the angels, a clean skin," Mr Hollow said. "You're not clearing it off yet, it's still million times as clean as award against you."

In New Zealand, Vietnam veteran Mr Vin Johnson, a member of the New Zealand Agent Orange Trust Board, said: "The important thing is that people who were rightly involved in falsification (of reports) were also those who gave evidence to the Australian royal commission, who gave great weight to their evidence."