

THIS MAGAZINE: BECAUSE EVERYTHING IS POLITICAL

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Collateral Damage

Agent Orange, the deadly chemical used by the US military during the Vietnam War, was tested right here in Canada. But for almost 30 years, it was also sprayed on our home turf—and the locals are still feeling the effects. This Magazine talks to the New Brunswick individuals who have mounted a case for compensation against the government of Canada

BY CHRIS ARSENAULT

PHOTOGRAPH COURTESY OF ROBYN GREGORY

If he hadn't gotten soaked in Agent Orange every day, Robyn Gregory would have had a pretty cool summer job. At 21, Gregory and his buddies rode Muskeg tractors spraying every power line in New Brunswick with 2,4,5-T and 2,4-D—the carcinogenic now-banned chemicals colloquially known as Agent Orange.

"We were told it was safe enough to drink, so we really didn't worry about it," says Gregory, a retired real-estate agent now in his late 60s, long-suffering from anxiety attacks, pancreatitis, tumours on his neck and buttocks and an array of other health problems he blames on the chemicals he sprayed in his youth.



In the summers of 1957-58, Gregory was one of more than 200 people employed by New Brunswick Power to clear the brush around the province's power lines. "As far as protection was concerned, nobody had any. There was no place to wash up for lunch, we'd just eat our sandwiches. The water we had with us got contaminated as well. There was no way to keep this damn stuff [the Agent Orange] out," he said.

Notorious for its devastating use by the US military during the Vietnam War, the term "Agent Orange" originated from the 55-gallon orange-striped barrels used by Monsanto Company and Dow Chemical Company to market and ship the roughly 1:1 chemical mix of 2,4-dichlorophenoxyacetic acid (2,4-D) and 2,4,5-trichlorophenoxyacetic acid (2,4,5-T).

Tetrachlorodibenzo-para-dioxin (TCDD)—a dioxin and known carcinogen banned in Canada since 1985 due to its link to cancers and other ailments—is produced as a side effect in the manufacture of 2,4,5-T, a key component of Agent Orange. NB Power's use of Agent Orange for clearing brush was the rule, not the exception, for many large institutions in New Brunswick. Canadian National Rail sprayed much of the province's track with the chemicals, but the most high-profile use was by the military at Canadian Forces Base Gagetown (CFB Gagetown).

In 1966-67, the Canadian government invited the US military to test Agent Orange and its more deadly cousin, Agent Purple (estimated to contain three times the dioxin level as Agent Orange), on 83 acres at CFB Gagetown.

Between 1956 and 1984, the Canadian military sprayed 6,504 barrels (1,328,767 litres) of chemical defoliants on 181,038 acres (an acre is slightly smaller than a football field) on CFB Gagetown, according to a 1985 declassified legislative briefing available through Access to Information.

"We handled this stuff [defoliated brush] with our bare hands. We were stripped to the waist because of the heat. It wiped across our bodies all the time," says Ken Dobbie, who was 19 years old in 1966 and trying to save money for university with his job clearing and burning defoliated brush at CFB Gagetown. Tordon 101 is colloquially called Agent White, a 4:1 mixture of 2,4-D and picloram that doesn't contain dioxin, but has carcinogenic hexachlorobenzene (HCB). The World Health Organization says it is dangerous to humans. That year, 536 barrels of Tordon 101 were sprayed on 8,431 acres of the base, according to a recently declassified briefing to the New Brunswick cabinet from January 24th, 1985.

The chemicals Gregory sprayed "came in barrels and had the consistency of molasses, with a reddish tinge." He says, "There was a bad chemical smell to it. I knew we sprayed 2,4-D and 2,4,5-T, but I never realized we sprayed Agent Orange. That stuff was for wartime, this was peace, we weren't fighting with anyone."

Dobbie spent six weeks working with defoliants on the base—until August 1966. The sickness began in December of that year. "I came down with terrible stomach disorders. I was sent to the hospital and they discovered I had three different ulcers. I've been sick ever since," says Dobbie. In quintessential have-not Eastern Canadian style, the Liberal government of the day funded Dobbie's deadly position—and roughly 500 others—through the Canada Youth Works Program. "I guess I was lucky to have a job," Dobbie jokes darkly.

The summer of 1966 wasn't the first time Dobbie, a self-described army brat, came in contact with dioxin. His father served in the Black Watch regiment at CFB Gagetown, so his family moved in and out of the area. "I had multiple exposures because from 1959-62 we were there. Both in 1960 and '61, I attended Boy Scout camp in the base training area," he says.

"I've been sick for 39 years. I have a host of different disorders," says Dobbie, 57, who takes nine different kinds of medications, including a daily dose of Demerol because of "constant pain." His diverse and ubiquitous list includes: brain atrophy, neurological disorders, thyroid growths, toxic hepatitis, blood disorders, relative polycytemia, type 2 diabetes and others. "These diseases don't run in my family, there is no genetic history on either side," Dobbie states.

"The military and government have consistently tried to frame this as an issue affecting a small group of service people," he says. "Through all those years, tens, if not hundreds of thousands of people were affected. Now, they're all over the country and the world," Dobbie says from his current home in Kingston, Ontario, where he is a leading member of the Agent Orange Association of Canada.

In what many spraying victims think is a classic Canadian political red-herring, federal politicians have been eager to "investigate" and even discuss compensation for the victims of the US 1966-67 testings. "[The Federal Government] hasn't made any commitment about compensation going outside the years of 1966-67," says Jody Carr, the Tory Member of the Legislative Assembly for Oromocto-Gagetown, who has campaigned vigorously for spraying victims.

Until community and media pressure reached the boiling point in the summer of 2005, federal officials were unwilling to discuss the increased amounts of defoliants that the Canadian military and civilian contractors sprayed on the base. "They have agreed to name a fact finder to go back and look at all of the years on the base the chemicals were used—back to 1952," says Carr. He feels this is a positive step.

In August 2005, the government appointed Vaughan Blaney, the village of Gagetown's former mayor, a well-connected Liberal and former environment

minister of New Brunswick, to lead this fact-finding mission. But since then, the whole exercise has been marred with controversy.

Blaney resigned unexpectedly in October 2005 because of "health concerns," but not before racking up some hefty bills. Chosen to take over the mission, Dr. Dennis Furlong, former health minister of New Brunswick, admits the cost in Oromocto, the area around CFB Gaagetown has been just "short of about \$900,000." This doesn't include tasks in the mission contracted out to the private sector through the Department of National Defence, which come from a separate budget.

Furlong's mission is not an inquiry; without the power of subpoena or the protection of confidential medical records, he cannot provide witness protection. Few veterans are part of the Agent Orange Association because, according to Dobbie, as pensioners they fear repercussions of bringing documentation and evidence forward.

Dobbie and Carr speak positively about Furlong as an individual, but maintain the process is flawed. "They [the Federal Government] know when they sprayed, how much they sprayed, the chemical breakdowns of what they sprayed, and the chemical manufacturers they bought the stuff from. They know how many people are sick and who has come forward so far," says Dobbie. His association has 926 applications in to the Canadian Department of Veterans Affairs (DVA) for Agent Orange exposure.

Furlong agrees the facts aren't hiding in Afghan caves or the dusty annals of the Department of National Defence, but says they are in disparate locations and need to be compiled, along with more environmental assessments. In summer 2007, when Furlong's facts are found, they will be submitted to "the defence minister and an ad hoc cabinet committee." The fact-finding mission cannot make recommendations to the government.

"The whole mission seems like an attempt at a whitewash," says Tony Merchant, a Regina-based lawyer spearheading a class-action suit on behalf of 1200 people against the federal government with Dobbie as lead plaintiff.

Furlong is aware of the class-action suit but doesn't "think there's any culpability so to speak." Federal officials argue that no one knew the products were unsafe at the time. The US military stopped using Agent Orange in Vietnam after 1971, when dioxin tests on rats resulted in higher cancer rates. Agent Purple was phased out for Vietnam War use in 1965. The Canadian Military continued to use Agent Purple in 1966, according to CBC News. If the chemical was too dangerous for American wartime use against communist "Victor Charlie," surely Canadian officials should have stopped spraying it around soldiers and civilians during peacetime in New Brunswick.

"We've been lied to for 50 years and we aren't going to take it anymore. We have the proof and we are going all the way with this," says Dobbie, who wants a formal apology and compensation for all those affected.

The federal government has already set the precedent for compensating spray victims. In 1964, an aerial sprayer plane had an accident when winds carried defoliants to the Upper Gaagetown and Sheffield area, damaging crops and contaminating new land. The Crown paid about \$250,000 in compensation to farmers in the area.

After years of agitating, Gregory and his colleagues from NB Power also received compensation, forming the Sprayers of Dioxin Association (SODA) and organizing petition drives, fundraisers, communications with the media and meetings with local politicians. Like so many progressive groups, SODA eventually split into two groups because of infighting. The larger group of sprayers, of which Gregory was not a part, received compensation directly from NB Power and a consortium of chemical companies in what Gregory calls a "secret agreement." Gregory and 42 of his colleagues received \$1

million from the provincial government to split among themselves. "You can't compensate people for their lives," said Gregory, "but the average age was 65 years old and we were tired of fighting." They never received a formal apology from NB Power.

"The compensation for the employees of NB Power is a precedent here," says Carr. Ironically, the settlement Gregory and his colleagues received is only slightly larger than what has already been spent on the Gagetown fact-finding mission. For soldiers, civilians, contractors and others affected by spraying at CFB Gagetown, Carr says, "The specifics of any compensation should be left with an independent arms-length review board of technical experts and that committee be empowered to give recommendations back to the federal government." At present, such a committee, or the federal will to create one, doesn't exist.

If compensation for Canadian spraying is ever tabled, victims will have to prove the exposure caused them problems. That's no easy feat. There are no published scientific tests of the chemicals on humans. No one in the scientific community states that Agent Orange exposure definitively causes cancer or other health issues, making the predicament of former sprayers that much more confusing.

However, the US model doesn't leave the burden of proof for sickness on veterans, a policy the Canadian government rejects. The US Department of Veterans Affairs compensates American service members who may have been exposed to Agent Orange during the Vietnam War. Their DVA acknowledges diseases linked to Agent Orange use, and the diseases on that list include: chloracne, Hodgkin's disease, multiple myeloma, non-Hodgkin's lymphoma, porphyria cutanea tarda, respiratory cancers (lung, bronchus, larynx and trachea), soft-tissue sarcoma, acute and subacute peripheral neuropathy, type 2 diabetes and prostate cancer. Monetary benefits, health care and vocational rehabilitation services are provided to Vietnam veterans' offspring with spina bifida, a congenital birth defect of the spine, and to children of female veterans who exhibit additional birth defects. Says Canadian lawyer Tony Merchant, "We'll be using DVA's list of ailments for compensation as part of our case to show the clear links between the chemicals and different diseases that have been established."



While the compensation model for US veterans acts as a positive example for what could be done for Canadian spray victims, it neglects the millions of affected Vietnamese who face irreparably worse conditions than anyone in Gagetown or Nebraska.

Between 1961-71, American C 123 cargo planes dumped 11 million gallons of rainbow herbicides over 10 percent of Vietnam to defoliate the jungles which provided protective foliage and the fields that supplied food to Viet Cong resistance fighters and civilians. More than 30 years after the Vietnam War officially ended, the violence continues. The risk of death from cancer among men and women exposed to Agent Orange increased by 30 percent in Vietnam after the war, according to studies cited by Inter Press Service news.

In Vietnam, Dr. Nguyen Viet Nhan has compared the health of children in sprayed areas to non-sprayed areas. His work has found children in sprayed areas more than three times as likely to have cleft palates, mental retardation or extra toes or fingers. These children were more than eight times as likely to suffer hernias.

In 1994, Wayne Dwernychuck of West Vancouver's Hatfield Environmental Consultants was among the first team of western scientists to study the long-term environmental effects of dioxin in Vietnam. "We did a number of soil samples and followed [dioxin] through the food chain into ponds, to fish, into ducks and then into humans. We found it [dioxin] in children who had been born long after the war ended so we concluded the only way they could be contaminated is through food and nursing," Dwernychuck says. "It's amazing no western scientists ever went in there and did any work except us," he adds, citing disinterest in politically charged research and lack of funding as possible reasons. David Levi, a member of Dwernychuck's team, told the BBC, "We should not think of this as a historical problem. This is a present day contamination issue."

Like their New Brunswick counterparts, the Vietnamese have tirelessly used a variety of channels to push for compensation and justice. The Vietnamese Victims of Agent Orange Association (VAVA), a grassroots initiative, formed in January 2004 and reportedly collected 11.5 million signatures to a petition demanding justice for Vietnamese spraying victims. Many signatures on a Canadian petition set up by former Gagetown sprayers at www.agentorangealert.com, come from Vietnam. But for its part, the Vietnamese government is keeping quiet. Grassroots political efforts are seen as a threat and the Communist Party doesn't want to risk a showdown with the US at the World Trade Organization or other international bodies.

In 2004, VAVA launched a lawsuit in US courts against 37 corporations that manufactured and sold the herbicides. It was thrown out on March 10, 2005; Judge Jack Weinstein ruled the claims lacked a basis in national and international law. VAVA is appealing the decision. Many of the corporate defendants—including Dow Chemical Company, Hercules Chemical Company and Monsanto Company—lost a 1984 lawsuit to American spraying victims and were forced to pay \$180 million into a fund for 52,000 sick veterans and their families.



Unlike Vietnam, where the dangerous defoliants were used as part of an American military campaign to—in the words of air-power czar General Curtis LeMay—"bomb them back to the stone-age," New Brunswick's sordid history with the chemicals was born from a desire to save dollars. "It costs a lot of money to hire men to go in and clear the brush from underneath the power lines [or clear land on the base]; it was cheaper to use chemicals than men with axes and saws," says Gregory.

Although the New Brunswick spraying officially stopped in 1984, people who live near the base worry they are still being poisoned, especially considering the environmental lasting power of dioxin in Vietnam.

"What's the future for CFB Gagetown?" asks Gloria Paul, a retired nurse living in the small town of Hoyt, a 10-minute drive from the base's entrance and next door to its perimeter. "There are 65 lakes and 251 streams on that base, all the residue of which runs into the St. John River and our well water," she sighs. Paul wanted to have her well water tested, but "it costs \$900 for one well and even if it came out clean, how do you know what they're testing next month?" she wonders.

Cabinet briefings from 1985 indicate that "it is reasonable that wells 3 km away would not be affected." This logic is problematic for two reasons; firstly Paul's wells are less than 3 km away from the base's perimeter. Secondly, no one had seriously studied the long-term environmental effects of the chemicals in 1985. Dwernychuck's 1994 research traces the long-past

contamination in Vietnam from ponds into humans; thus dioxin is still in New Brunswick's food chain, continuing to poison people and the land.

Lloyd McCann, an avid hunter, fisherman and former resident of Enniskillen, a tiny community directly bordering and connected by road to CFB Gagetown, worries what the chemicals are doing today. "Another feller and I got a deer one time and it was full of some kind of cancer, there were awful lumps," says McCann, a retired security truck driver who started hunting in the region when he was 15. McCann and his wife, Suzanne, lived in Enniskillen for 41 years; today it's almost a ghost town. "Out of those eight houses in that little cluster [in Enniskillen], 25 people have died from cancer," says Suzanne McCann. "There's cancer in every household.... Lloyd's brother just died this summer and his aunt, both with cancer." Suzanne, a former cook at CFB Gagetown, passes over newspaper-clipped obituaries between sips of coffee.

"They'd sprayed us, they sprayed over our car and we'd go out afterwards and the whole area would be like a burnt ground; it would be totally black," says Suzanne. Their house and car were simply "collateral damage." The soakings happened regularly because of their proximity to the base. In 1997, the McCanns moved into a used mobile home in Hoyt, NB (a 10-minute drive from Enniskillen). "My health has improved quite a little bit since I moved over here," says Suzanne, whose doctor diagnosed her with chemical poisoning because of the bronchitis and stomach problems she suffers.

Like the McCanns, other families simply abandoned their homes because of the spraying and noise pollution from the base. Broken windows, discarded family pictures and old furniture still reside in several of the small, partially boarded-up homes. Three years after they abandoned it, the McCanns found a buyer for their Enniskillen property. "We had a two-car garage, an acre of property, a home and a storage shed and all we could get for it was \$19,000," says Suzanne.

"For years there had been concern that communities surrounding the base had higher cancer rates, but nobody really put their finger on it," says Carr. "The federal government needs to consider residents of Enniskillen in any compensation package they are going to provide."



The saga of Agent Orange spraying in New Brunswick was first publicly brought to light by New Democratic Party Members of Parliament Simon de Jong and Terry Sergeant during a 1981 question period in the House of Commons. They obtained documents confirming US testing on the Gagetown base. "At the time, the government agreed to do some testing and nothing really came of it," says Carr today. The issue arose again in 1985 when the McCanns found and photographed discarded Tordon 101 barrels in Patterson Brook near their home; more barrels were found on the base. "Patterson Brook doesn't have fish anymore," details Lloyd McCann, who remembers when speckled trout and salmon filled the water.

A recently de-classified report to the NB cabinet dated January 24, 1985, shows that 666 barrels had been unearthed at the base. Of those, 331 crushed barrels formerly contained Tordon 101; 104 drums contained "some liquid," of which 61 were Tordon 101 drums. The other barrels were too weathered to be identified. None of the barrels were full; most contained small amounts of liquid. In one case there was "a smell to indicate it may have been a herbicide."

When barrels were unearthed, the NB government hired consultants to

conduct soil and groundwater tests. The results of two tests were noted in cabinet briefings; one acknowledged the test contained "traces of picloram." According to cabinet briefings, the government did not keep a "formal record of the locations where empty herbicide containers have been buried in the period up to 1981." Still, the 1985 "Barrel-gate" fiasco didn't result in long-term action. "The government agreed to do a search, dug up some barrels, did some testing and again the issue dropped," says Carr.

In the history of spraying, the year 2005 shouldn't have been a watershed. Little new information was added to what residents and government officials already knew. With most of the key documentation given to the NB cabinet and presumably accessible to federal officials in 1985, residents and former sprayers wonder why it took national attention to notice their suffering.

There was, however, one important turning point from a policy perspective that helped break the story nationally. In 2004, the Canadian DVA agreed to give Brigadier-General Gordon Sellar a pension due to the chronic lymphatic leukemia he suffered as a result of his exposure to defoliants in the 1960s when he was stationed at CFB Gagetown. According to Dobbie, Sellar was "the only person really who has been awarded an Agent Orange pension." After Gordon Sellar and his wife Gloria struggled with DVA for 15 years, Sellar's cheques finally started coming in spring 2005, two weeks before he died.

Gloria Sellar became so frustrated that she decided to go public with the information about her husband's pension—important news considering Veterans Affairs and other government bodies were trying to maintain a no-pension policy. "Gloria Sellar went public the same day [May 17] Belinda Stronach crossed the floor in the House of Commons; of course, all the media attention centered on that story, not Sellar," Dobbie says

The Whig Standard, in Kingston, Ontario, Dobbie's and Sellar's city paper, ran a story about Colonel Sellar's late compensation cheques. "When I read about that I thought, by God," says Dobbie. "If her husband got a pension, then my dad deserves one as well." Dobbie's father died six years earlier, "from a rare form of cancer" that Dobbie believes was caused by Agent Orange.

Dobbie called the Department of Veterans Affairs and asked for an application form. They told him to call the Department of National Defence (DND) because Dobbie himself had been sprayed as a civilian. "DND said their official position was that no civilians had ever been sprayed at any time, any place."

After speaking with DND, Dobbie was furious. He went home and called CBC National Radio, and eventually got the ear of Dave Taylor, the parliamentary bureau chief. That's when the media swarm started. Louise Elliott from CBC Radio, as well as a film crew from CBC, drove to Kingston and interviewed Dobbie at the end of May 2005.

Then CBC's news team got funding to travel to Gagetown to follow Dobbie's story and allegations. Once Dobbie made the national news, "The whole thing started blowing up and more and more people started coming forward"—both in NB and beyond.

All of a sudden, DND and DVA announced a joint meeting with the standing committee on Veterans affairs, with DND's Karen Ellis giving a news conference in Ottawa on June 21, 2005. She also announced there would be a public meeting in Gagetown two days later—June 23. Dobbie drove all night from Ontario to be at the meeting; he and other affected people think the government unsuccessfully tried to pull a fast one by calling the meeting only two days before it was set to take place. But the public meeting, attended by more than 200 people, started off with questions about water quality and testimonies from New Brunswickers about sickness and death. When Dobbie

spoke, he tabled cabinet briefings cited in this article, showing clearly that civilians were exposed and that spraying went far beyond US testing in 1966-67.

The brouhaha eventually led the government to kick-start the August 2005 fact-finding mission with Vaughan Blaney at the helm.



If there is a glimmer of hope in this story, it is the angst, diligence and determination of unlikely activists like Gregory, Dobbie, the McCans and Paul. "This is the first time I've been involved with anything political; I got a computer last week and just learned how to turn it on," laughs Paul, who, like every other affected person interviewed for this story, now carries stacked binders full of newspaper clippings and documents along with video tapes, correspondences with politicians and other goodies of a social agitator. "[Federal and military officials] think that people who live around the base don't know what's going on. We constantly feel like we have to prove ourselves," says Paul, whose weapons are words and documented facts.

If there were a profile of what spraying victims look like, it would be: hard-working, tax-paying, rural, predominately white middlish-class, by and large Conservative-voting—in other words, people who aren't supposed to face the dark side of Canada's closet militarism, the ones who are supposed to trust the imperfect legitimacy of government, fly the flag, support the troops and not ask questions. "I think this could happen to anyone," says Susan McCan.

"As we die off—we lost two members the week before last—our families will take up the cause," says Dobbie, shortly before a third associate of his would follow the first two.

The spraying has officially ended and the fact-finding fun is just beginning. But with CFB Gagetown representing key infrastructure to Canada's international military commitments, mainly in Afghanistan and Haiti, do new dangers lurk just around the corner, if not already smouldering like dead brush? According to Paul, the US military is currently testing bunker buster bombs around the world. If the war on communism precipitated US testing of Agent Orange on the base—and some of the ensuing nightmares, tumours and lies for local residents, contract civilians and service members—who knows what the war on terror will bring?

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