

MEMORANDUM

MEMO TO: Environmental Defence Fund Committee
Roger Cotton, Bob Fishlock, Adele Hurley,
Sarah Miller, Grace Patterson, Steven
✓ Shrybman, Doug Macdonald

FROM: Toby Vigod

DATE: August 13, 1984

Last week, I received a call from Jerry White, spokesperson for the Sprayers of Dioxin Association. The members of this group are the New Brunswick Sprayers who cleared brush in the 1950s and the 1960s with 2,4-D and 2,4,5-T. Jerry asked whether we could assist in the case. I gather he has received a letter from the Research Foundation.

I indicated that a committee had been meeting to resurrect the Environmental Defence Fund and that perhaps EDF could assist the group when the case was launched. Jerry had indicated to me that while the law suit was supposed to be launched in June, the lawyers were not moving too quickly and that he was even considering switching law firms.

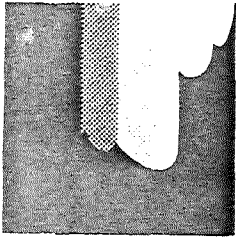
However, on Monday, August 13, Jerry telephoned me again to say that a Notice of Intent to sue the New Brunswick Power Commission would be issued on August 15th and that this would be an opportune time for EDF to become involved. I spoke to Sarah and Grace about what help we could offer prior to EDF becoming formalized.

We decided a CELA press release would be sent to the Media on the 15th (see attached). It would seem to be an excellent idea for EDF to give some of the funds it has accumulated towards this case. It would also be an excellent case to launch EDF, as it is outside Ontario and involves a major toxic tort action.

Please let me know what the Committee decides.

TV:dlb

Attachment



Canadian Environmental Law Association
L'Association canadienne du droit de l'environnement

243 Queen Street W., 4th Floor, Toronto, Ontario M5V 1Z4, telephone (416) 977-2410

P R E S S R E L E A S E

FOR IMMEDIATE RELEASE

August 15, 1984

Contact: Jerry White
Sprayers of Dioxin
506-457-0668
(Fredericton)

or

NEW BRUNSWICK SPRAYERS OF DIOXIN
LAUNCH LAW SUIT

Toby Vigod, CELA
977-2410

New Brunswick workers who cleared brush with the defoliants 2,4-D and 2,4,5-T during the 1950's and 1960's today have issued a Notice of Intent to sue the New Brunswick Electric Power Commission. After 30 days, a writ will be issued against the Power Commission, Dow Chemical Canada Limited and Chipman Ltd.

The Sprayers of Dioxin Associates are seeking over \$200,000,000 in damages for health problems and deaths caused by exposure to these herbicides. Of about 217 former sprayers, 73 have died. Many others suffer from heart and liver disease and cancer. In the last three weeks, three more sprayers have been diagnosed as having cancer. In addition, 21 out of 178 children born to these men have had serious birth defects. This compares to the New Brunswick average of 5 out of 100 children born with birth defects.

The Canadian Environmental Law Association (CELA) supports the case launched by the sprayers and urges the federal government to immediately cancel the registration of 2,4,5-T which contains the deadly chemical dioxin.

CELA and other environmental groups across Canada are presently incorporating a Canadian Environmental Defence Fund to provide funding for groups such as this who are involved in major environmental litigation. In the fall, a nation-wide fundraising campaign will be launched.