

FOR IMMEDIATE RELEASE

Dow AgroSciences files Notice of Intent to submit NAFTA challenge in Canada

Calgary, October 24, 2008 – Dow AgroSciences LLC today confirms that it has submitted a Notice of Intent to Submit a Claim to Arbitration for breach of Canada's obligations under NAFTA. In filing this Notice, Dow AgroSciences alleges that the Government of Canada has breached its obligations under Section A of Chapter 11 of NAFTA, under Article 1105 (Fair and Equitable Treatment in Accordance with International Law) and Article 1110 (Expropriation). Dow AgroSciences bases its claim on the actions of the Government of Quebec in starting a campaign in 2002 to ban 2,4-D, a Dow AgroSciences pesticide product, without any scientific basis for such a ban. That ban went into force on April 3, 2006 despite the Government of Quebec's own advice that there was no scientific basis for this ban and despite numerous attempts by Dow AgroSciences to work with the Government of Quebec in using a science-based, transparent policymaking framework for the decision affecting 2,4-D. The Government of Quebec and the Government of Canada are both parties to NAFTA.

"This challenge is aimed at ensuring that important public policy decisions are based on scientific evidence, predictability and a clear set of principles, and are managed within a transparent framework," said Jim Wispinski, Calgary-based President and CEO of Dow AgroSciences Canada Inc. "The actions of the Government of Quebec are tantamount to a blanket ban based on non-scientific criteria, and we are of the view that this is in breach to certain provisions of NAFTA. We don't welcome this step, but we initiated this action from our Canadian affiliate as we feel it is necessary given the circumstances." Dow AgroSciences manufactures 2,4-D for sale to companies around the world, including Canada. Regulators in several countries, including Canada, the United States and in the European Union, have all reviewed 2,4-D on the basis of modern science and concluded that it is safe for use according to label instructions. On May 16, 2008, Health Canada's Pest Management Regulatory Agency announced the results of an extensive review on 2,4-D. The PMRA concluded that 2,4-D can be used safely according to label directions for a variety of lawn, turf and agricultural applications, and that the product meets all of Canada's pesticide health and safety regulations, which are among the toughest and most stringent in the world. The Notice of Intent was filed with The Department of Justice and is available online at <http://www.international.gc.ca/trade-agreements-accords-commerciaux/dispdiff/gov.aspx?lang=en>.

Dow AgroSciences is seeking a \$2 million CAD settlement, plus legal costs, in filing its Notice.

more...**About Dow AgroSciences**

Dow AgroSciences Canada Inc. is headquartered in Calgary, Alberta with a regional office in Saskatoon, Saskatchewan. Learn more at <http://www.dowagro.com/ca>

Dow AgroSciences LLC, based in Indianapolis, Indiana, USA, is a top-tier agricultural company that combines the power of science and technology with the "Human Element" to constantly improve what is essential to human progress.

Dow AgroSciences provides innovative technologies for crop protection, pest and vegetation management, seeds, traits, and agricultural biotechnology to serve the world's growing population.

Learn more at <http://www.dowagro.com>

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