

For Immediate Release

Dow AgroSciences LLC and Government of Canada settle NAFTA claim

- **Importance of scientific evidence in public health decisions reaffirmed**
- **Government of Quebec agrees with Health Canada's PMRA findings on safety of 2,4-D**

Calgary, Canada (May 25, 2011) - Dow AgroSciences today announced a formal settlement agreement with the Government of Canada with regard to its North American Free Trade Agreement (NAFTA) challenge against the Government of Canada.

In March 2009, Dow AgroSciences LLC alleged Canada had 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 LLC based its claim on the actions of the Government of Quebec in starting a campaign in 2002 to ban certain non crop uses of herbicides containing the active ingredient 2,4-D without any scientific basis for such a ban.

This ban came into force on April 3, 2006, despite advice received by the Government of Quebec's own officials that there was no scientific basis for this ban and despite numerous attempts by Dow AgroSciences Canada to work with the Government of Quebec in using a science-based, transparent policymaking framework for its decision on 2,4-D.

As part of the settlement agreement, Dow AgroSciences LLC will waive its legal actions and claims against the Government of Canada under NAFTA. In addition, Section 3 a) of the settlement agreement, states:

"... the Government of Quebec agrees that products containing 2,4-D do not pose an unacceptable risk to human health or the environment, provided that the instructions on their label are followed, as concluded by Health Canada's Pest Management Regulatory Agency ("PMRA") in its May 16, 2008, decision on the re-evaluation of 2,4-D."

"This settlement is positive for our company, our value-chain partners and most importantly, our customers. Quebec has agreed with the federal government's findings as to the safety of our product when used correctly. This is consistent with regulatory findings in the United States and in the European Union" said Jim Wispinski, President and CEO of Dow AgroSciences Canada Inc.

"We also extend our appreciation to the Government of Canada in reaching this settlement which avoids a lengthy and costly NAFTA case," added Wispinski.

About Dow AgroSciences

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. Dow AgroSciences Canada Inc. is headquartered in Calgary, Alberta.

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