Exposure to Agent Orange and Other Unregistered US Military Herbicides

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This policy replaces the following VPPM 5 policy: Exposure to Agent Orange - Disability Benefits. This policy replaces the following PPM policy: Exposure to Agent Orange - Disability Benefits.

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Purpose

The following policy provides guidance in the adjudication of disability benefit applications for claims associated with exposure to unregistered US military herbicides, including Agent Orange.

This policy should be read in conjunction with the policies entitled Assessing and Categorizing Health-Related Expert Opinion(s) and Scientific Evidence, and Hazardous Material and Radiation Exposure.

Policy

Vietnam

1. Veterans Affairs Canada (VAC) accepts that Veterans who served in Vietnam between January 9, 1962 and May 7, 1975 were exposed to Agent Orange.
2. For disability benefit claims related to service in Vietnam, the applicant must have an illness that VAC accepts as being associated with exposure to Agent Orange (see paragraph 6 below).

CFB Gagetown and Other Locations

3. For disability benefit claims related to exposure outside of Vietnam, e.g., on a US military base or at CFB Gagetown, the applicant must have an illness that VAC accepts as being associated with exposure to Agent Orange (see paragraph 6 below), and must provide evidence of exposure.

4. An individual’s mere presence at CFB Gagetown from June 14-16, 1966 and/or from June 21-24, 1967, during the testing of unregistered US military herbicides, including Agent Orange, does not constitute exposure that would place an individual at an increased risk for long-term, irreversible health effects.
5. The applicant must provide reasonable evidence of service-related exposure. See Hazardous Material and Radiation Exposure policy.

Illnesses/Medical Conditions Accepted by VAC as Associated with Agent Orange Exposure

6. VAC recognizes the following illnesses/medical conditions as being associated with exposure to Agent Orange and other herbicides for disability benefit purposes:
    a. Acute and Subacute Transient Peripheral Neuropathy
    b. AL amyloidosis
    c. B cell leukemias
    d. Chloracne
    e. Chronic lymphocytic leukemia (CLL)
    f. Diabetes Mellitus (Type 2)
    g. Hodgkin's Disease
    h. Ischemic Heart Disease
    i. Multiple Myeloma
    j. Non-Hodgkin's Lymphoma
    k. Parkinson’s Disease
    l. Porphyria Cutanea Tarda
    m. Prostate Cancer
    n. Respiratory Cancers – includes cancers of the lung, larynx, trachea and bronchus; and/or
    o. Soft-Tissue Sarcomas

Spina Bifida

7. VAC’s legislative authorities do not provide for the payment of disability benefits related to illness/injuries for the children of Veterans. As such, the condition “spina bifida in offspring of exposed individuals” is not used by VAC in the adjudication of disability benefit applications.

Evolving Research

8. Adjustments will be made to this policy as appropriate, as new evidence or research becomes available and results are evaluated.

Reference

Pension Act, subsection 5(3), 21(1), 21(2), and 21(3)

Veterans Well-being Act, sections 43, and 45

Veterans Well-being Regulations, subsection 50(g)

Assessing and Categorizing Health-Related Expert Opinion(s) and Scientific Evidence

Benefit of Doubt

Disability Benefits in Respect of Peacetime Military Service – The Compensation Principle

Disability Benefits in Respect of Wartime and Special Duty Service – The Insurance Principle

Disability Resulting from a Non-Service Related Injury or Disease

Hazardous Material and Radiation Exposure