

Personal Injury Law Podcast

by Rosenfeld Injury Lawyers

Paraquat Lawsuit Update: The Alleged Connection Between Paraquat and Parkinson's Disease

Johnathan Rosenfeld:

Hello, I am Johnathan Rosenfeld. Today, I am joined today with Marty Gould on the Personal Injury podcast, and I am going to talk with Marty about an emerging area of product liability litigation involving Paraquat herbicide. Marty, I appreciate you joining me today. Thank you.

Marty Gould:

Thanks for having me on, John.

Johnathan Rosenfeld:

Now, Marty, we are sort of really in the early, early, early phases of what may emerge to be a very, very significant piece of product liability litigation involving Paraquat. First off, can you just give us a little bit of overview in terms of what Paraquat is, and how it's used, and why it's used?

Marty Gould:

Paraquat is a chemical herbicide that's used primarily in farming. It can also be used to kill weeds. And if you're a farmer, or a landscaper, or a groundskeeper, a gardener, you probably come into contact with Paraquat. In 2011, a study by the National Institute of Health found that people exposed to Paraquat are approximately 2.5 times or 250% more likely to develop Parkinson's Disease.

Johnathan Rosenfeld:

So today we're seeing there's been a trickle of lawsuits that have been filed down in southern Illinois, but we're seeing a trickle of lawsuits that have been filed primarily by agricultural workers who have been exposed to Paraquat during their work. The allegations are that they were never warned of the potential dangers related to Paraquat. Is that correct?

Marty Gould:

That's correct. Now that we're publicly finding out about the links between Paraquat and Parkinson's, lawsuits have been filed. A lot of them in southern Illinois against various companies that manufactured it or sold it. Most of these plaintiffs are Illinois crop dusters, or farmers, landscapers, and it's essentially that there was knowledge about these harms that weren't disclosed to the consumers.

Johnathan Rosenfeld:

So, whenever you bring in a case in terms of product's liability, you have to make these allegations in your complaint. The primary allegation, I guess at this point, is that these manufacturers knew or should have known of these dangers but failed to put any warnings on the product while they were using this. Correct?

Marty Gould:

And that's essentially the basis of the complaints is that they knew about a harm. Just like in all the other cases with Zantec or Roundup, there was knowledge from studies in their own independent research about these harms, or the risk of harm, and the failure to warn the consumer that use of it could increase the risks of Parkinson's or whatever the disease might be. They have certain obligations to consumers in regards to putting them on notice.

Johnathan Rosenfeld:

Now, these cases are really in the early stages. I anticipate there's going to be many, many, many more of these cases coming forward, many more lawsuits coming forward. It's safe to say that there have not been any settlements related to Paraquat lawsuits at this time?

Marty Gould:

Not any on a wide-scale basis, but there has been a lot going on in terms of Paraquat and various countries is reviewing Paraquat, its safety. So the European Union banned the herbicide back in 2007. China, Brazil, and several other countries have abandoned its use. And I don't think we're too far away from seeing it banned in many other countries.

Johnathan Rosenfeld:

Now, we can talk a little bit about or look to the litigation involving Roundup weed killer herbicide and what we've seen in terms of those lawsuits and the damages and those lawsuits, can you talk a little bit about the damages that may be available in a Paraquat lawsuit?

Marty Gould:

So in a personal injury case, you can seek compensation for your lost income, your lost earning capacity if we established that you did have Parkinson's or increased your risk of Parkinson's and it caused all sorts of damages and you couldn't work, those are all things you can legally get compensated for. But also, more importantly, you get compensated for the physical and emotional pain and suffering, and the tremors that you're getting, the physical pains you get. These are all things that you can legally seek financial compensation for. And that's why it's important to speak with a lawyer to find out what your rights are and what types of compensation you can personally collect in your case.

Johnathan Rosenfeld:

Marty, some of these people who may be watching this video today or listening to this podcast, they may have been affected either individually or they may have a family member who's been impacted by the use of Paraquat or Paraquat exposure. What would you tell them in terms of moving forward? A lot of times, these people may be sitting back and they may be thinking,

"Oh, you know what? This happened years ago. I may not have a claim. The time may have evaporated for me to pursue a case." What would you tell these people?

Marty Gould:

It's important to speak with a lawyer who can examine your specific facts and know your rights. Many states have laws that allow you to still bring claims even if your exposure was from decades ago or your Parkinson's that you had was diagnosed decades ago because many states have what's called the Discovery Rule. It's the point in time that you realize that your harm was caused by the defendant's negligence. So, it's important always consult with a lawyer even if you think maybe it's too late or maybe you think that there could be other causes of the Parkinson's to find out what your rights are and see if there's a possible connection.

Johnathan Rosenfeld:

Marty, this was great information. I appreciate you joining me today. Thank you.

Marty Gould:

Thanks for having me on, Jon.