

Courts Make Favorable Appellate Rulings

GROWERS CAN CONTINUE LAWSUIT AGAINST DUPONT

A decision from the Florida Supreme Court will allow growers in Palm Beach, Broward, and Dade Counties, as well as state-wide and international growers, to proceed with lawsuits against chemical manufacturer DuPont. The June 9 decision will allow more than 100 growers to continue with their lawsuits against DuPont for a defect in a fungicide called Benlate, which killed thousands of trees and plants.

Attorney David Sales is the managing attorney who will oversee the team effort in representing the growers.

In the early 1990s, Benlate was discovered to be highly toxic and was eventually taken off the market in 1991. Many growers sued DuPont, based in Wilmington, Del., claiming the chemical killed their plants and trees.

DuPont first settled with the growers beginning in the mid-1990s. However, it was later discovered that Benlate was much more toxic than DuPont originally had conceded. This meant that the Florida growers settled their lawsuits for less than their true value.

Similar lawsuits were filed against DuPont in Hawaii, Georgia, South Carolina, and California. The Florida growers' lawsuit was filed in the 17th Judicial Circuit Court in Broward County on April 23, 1999. ■

