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Bayer ordered to pay \$2.25 billion after jury links herbicide Roundup to cancer

By Frances Vinall

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Roundup weed killing products on sale at a home improvement store in 2019 in Chicago. (Scott Olson/Getty Images)

A jury handed down a \$2.25 billion verdict, including \$2 billion in punitive damages, against agrochemical giant Monsanto, according to the lawyers of a man who said he developed cancer from using the company's weed killer, Roundup.

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John McKivison, 49, filed a lawsuit in Philadelphia against the company after he was diagnosed with non-Hodgkin's lymphoma, which he said was due to using Roundup on his property for 20 years.

On Friday a jury returned a unanimous verdict, finding that Roundup was a cancer-causing product, that Monsanto was negligent and that Monsanto failed to warn about the dangers of Roundup, McKivison's lawyers **Tom Kline** and Jason Itkin said in a joint statement.

"The jury's punitive damages award sends a clear message that this multi-national corporation needs top to bottom change," they said, calling the verdict "a condemnation of 50 years of misconduct by Monsanto."

In an emailed statement, Bayer, Monsanto's parent company, said it planned to appeal the verdict and what it called the "unconstitutionally excessive" damages. It said the jury's verdict "conflicts with the overwhelming weight of scientific evidence and worldwide regulatory and scientific assessments" on Roundup.

The claims rest on the ingredient glyphosate, introduced as a herbicide by Monsanto in 1974, which inhibits a certain enzyme in most plants, preventing them from growing. Monsanto also introduced genetically modified crops that are resistant to glyphosate.

The U.S. Environmental Protection Agency found in 2020 that "there are no risks of concern to human health when glyphosate is used in accordance with its current label" and that "glyphosate is unlikely to be a human carcinogen."

The European Commission said last year that “based on an assessment of all available information, there is currently no evidence to classify glyphosate as being carcinogenic.” Health Canada’s Pest Management Regulatory Agency has approved its use.

But the World Health Organization’s International Agency for Research on Cancer found in 2015 that glyphosate is “probably carcinogenic to humans.”

Bayer agreed in 2020 to pay about \$10 billion in a settlement to tens of thousands of claimants over the allegation that Roundup causes non-Hodgkin’s lymphoma, without admitting wrongdoing. But fresh claims against it have continued since then. It won a case on Dec. 22 in California, lost a case on Dec. 5 in Pennsylvania, and lost a case on Nov. 17 in Missouri, according to the company.

The German pharmaceutical giant Bayer acquired U.S. agrochemical company Monsanto, the inventor and producer of Roundup, in 2018.