

German pharmaceutical firm Bayer loses appeal against court ruling its weed killer causes cancer

German pharmaceutical giant Bayer has lost an appeal against a US court ruling that its weed killer causes cancer.

It's the latest setback for the company which is facing thousands of lawsuits in the US.

A San Francisco appeals court on Monday upheld a 2019 ruling in favour of a couple claiming they became ill after years of using the weedkiller Roundup.

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The court also upheld a judge's decision to sharply reduce the jury award to Alva and Alberta Pilliod from \$2 billion (€1.71 billion) to \$86.7 million (€74 million).

Bayer has been facing a number of lawsuits in the US since its 2018 takeover of US agrochemicals company Monsanto, which produces Roundup.

On Tuesday, it said it "respectfully disagrees with the court's decision" in San Francisco, which it said was not based on any tangible evidence.

"We continue to strongly defend the safety of Roundup, a position supported by four decades of extensive scientific data and assessments from leading health regulators around the world that support its safe use," a group spokesman said.

Glyphosate, the main component of Roundup, is nevertheless classified as a "probable carcinogen" by the World Health

Organization's International Agency for Research on Cancer.

Bayer said that "Monsanto will consider its legal options in this case".

Public 'not informed' about dangers

In his ruling, the judge said Monsanto had shown an "intransigent refusal to inform the public" about the dangers of a product it made widely available in US hardware stores.

"Monsanto knew that studies supporting the safety of Roundup were invalid when the Pilliods began spraying Roundup in their garden, without gloves or protective equipment, prompted by television advertisements," the ruling said.

Bayer suffered a net loss of €2.3 billion in the second quarter of the year. The group has made additional provisions of \$4.5 billion dollars (€3.8 billion) to face the lawsuits.

- [Bayer to pay \\$10.9 billion to settle weedkiller cancer lawsuits](#)
- [Bayer shares plunge over weedkiller trial](#)

It had signed a large settlement in June 2020 worth more than \$10 billion (€8.5 billion) to end the 125,000 or so claims.

But a US judge in May rejected part of that plan, which would have limited the cost of future class action claims.

According to the judge, the agreement does not sufficiently protect the interests of people who used Roundup before February 2021 and have not yet been diagnosed with non-Hodgkin's lymphoma, a cancer of the lymphatic system.

In May, a San Francisco court also upheld an order against Bayer to pay \$25 million (€21.3 million) in damages to a California retiree, Edwin Hardeman, who was diagnosed with non-Hodgkin's lymphoma in 2015.

On Tuesday, Bayer said Monsanto planned to “file a petition with the US Supreme Court this month” in the case.