



ONLY KILLING WEEDS?

**THE CASE AGAINST ROUNDUP®
WHEN COMPANIES VALUE PROFIT OVER PEOPLE**

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When Companies Value Profit
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First Edition

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Auger & Auger

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Introduction: Roundup Claims and You?

We expect the manufacturers of products that we purchase to be honest when it comes to the safety and potential risks associated with their products. The makers of the products that we use, have a duty to be truthful when it comes to their products and whether they are fit for consumer use. Troubling recent studies and lawsuits involving the herbicide Roundup have made the news because injured people are claiming that their regular use of the weed killer Roundup has caused them to have serious illnesses, including cancer:

On August 10th, 2018, Dewayne Johnson, who has non-Hodgkin's lymphoma, was awarded \$289 million in damages (later cut to \$78 million on appeal) after a jury in San Francisco found that Monsanto (the maker of the herbicide) had failed to adequately warn consumers of cancer risks posed by the herbicide. Johnson had routinely used two different glyphosate formulations in his work as a groundskeeper, RoundUp and another Monsanto product called Ranger Pro. The jury's verdict addressed the question of whether Monsanto knowingly failed to warn consumers that RoundUp could be harmful, but not whether RoundUp causes cancer. Court documents from the case show the company's efforts to

influence scientific research via ghostwriting. After the IARC classified glyphosate as "probably carcinogenic" in 2015, over 300 federal lawsuits have been filed that were consolidated into a multidistrict litigation called *In re: RoundUp Products Liability*.

If you've been a regular user of Roundup and you have been diagnosed with a form of cancer such as Non-Hodgkin's Lymphoma, you should contact a Roundup Injury Lawyer to explore what your options may be regarding a potential injury claim against the product's manufacturer. The purpose behind this book is to give the reader some general information about recent Roundup injury claims, but in no way should this book be a substitute for a full case evaluation with an experienced lawyer that handles cases related to dangerous drugs, medical devices or other dangerous products. **Even if you do not call us, please make sure that you call someone as soon as possible!**

If you are wondering about whether or not you have a potential claim against the manufacturer of the herbicide Roundup, you probably have a lot of questions and concerns about whether a product deemed to be safe could be related to your illness. If you have been a regular user of Roundup and you believe that your illness could be linked to your regular use of Roundup, you're

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not alone. Roundup has been on the market for 35 years and millions of people use it every year. Many people may have been injured because of their exposure to Roundup. Those same people have rights and they may be entitled to all the compensation that the law allows!

Don't brush off your concerns. It won't cost you anything to speak an experienced law firm that handles cases related to dangerous products. We hope that this informational guide is helpful but more than anything, even if you don't read another page, please call someone to find out more about your potential options regarding a claim against the manufacturer of the herbicide, Roundup.

Part I: Roundup Background

The popular herbicide (a substance that is toxic to plants, used to destroy unwanted vegetation), Roundup, was introduced by chemical company Monsanto in 1974 and in the last four decades, it has grown into one of the world's most popular weed killers. Roundup is widely used by farmers, gardeners, landscapers and agriculture aficionados, because it is good at what it does – killing unwanted weeds.

Unfortunately, over the past several years some studies have found that the active ingredient in Roundup known as glyphosate is believed to cause several types of cancer, most notably non-Hodgkin Lymphoma. This has led to Roundup being deemed a probable carcinogen and lead to hundreds of lawsuits to be filed against Monsanto, alleging that there was a potential cover up and that consumers weren't warned of the dangers.

Monsanto developed glyphosate as an herbicide in the 1970's in order to kill any weeds or grasses that compete with or harm crops. Throughout the mid to late 1990's, Monsanto introduced a number of genetically engineered crops which had their DNA altered to allow them to withstand the herbicide glyphosate. These glyphosate tolerant crops were known as Roundup Ready Crops, and the popularity of Roundup increased dramatically as farmers were able to spray the product all over without having to worry about killing their crops.

These developments led to Roundup becoming the most popular herbicide in the United States by the late 2000s, and an estimated 1 billion plus pounds of Roundup were used around the world annually. "Roundup Ready" crops include soy, corn, canola, alfalfa, cotton, and sorghum, with wheat being developed. "Roundup Ready" crops now account for significant amount of (millions) acreage of farmland and almost 300 million pounds of crops each year. "Roundup Ready" crops have resulted in a significantly increased use of Roundup. The amount of glyphosate applied per acre of soybeans has increased from less than two tenths of a pound in 1996 to almost 1.2 pounds by 2006. That is almost 6 times as much being used in just a 20-year time period.

Part 2: Is Roundup Dangerous?

There has been a great deal of discussion about the safety or potential dangers and risks associated with regular exposure to the herbicide Roundup. The active ingredient of glyphosate has been labeled as safe since it first become commercially available and advocates of the chemical have argued that it is perfectly safe and also environmentally friendly. They also claim that the product is good for the environment because it attaches to the soil fast, is broken down easily (biodegradable), and is not dangerously toxic to animals.

One international scientific organization, the International Agency for Research on Cancer (IARC), affiliated with the WHO, has made claims of carcinogenicity in research reviews; in 2015 the IARC declared glyphosate "probably carcinogenic.

The IARC review notes that there is limited evidence for a link to cancer in humans. Although several studies have shown that people who work with the herbicide seem to be at increased risk of a cancer type called non-Hodgkin lymphoma, the report notes that a separate US study,

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the Agricultural Health Study, found no link to non-Hodgkin lymphomas. That study followed thousands of farmers and looked at whether they had increased risk of cancer.

But other evidence, including from animal studies, led the IARC to its ‘probably carcinogenic’ classification. Glyphosate has been linked to tumors in mice and rats — and there is also what the IARC classifies as ‘mechanistic evidence’, such as DNA damage to human cells from exposure to glyphosate.

In the case of Roundup, the dangers may not be posed solely by the active ingredient glyphosate, but by the final, formulated product that contains other chemicals which, when combined, may be more toxic than glyphosate by itself.

Various studies seem to indicate that glyphosate can pose dangers to those exposed to high doses of the chemical, which may include workers who are more frequently exposed to the chemical or exposed in larger doses. One study found that exposure to glyphosate can double the risk of non-Hodgkin Lymphoma within the next ten years.

It's important to note that the studies have not found any carcinogenic risk to people who are exposed to low doses of glyphosate via their diets or consumption of agricultural products.

Part 3: Glyphosate Cancer Studies: A Brief Summary with Links

Anyone interested in potential risks associated with regular exposure to Roundup should know that there are many different perspectives on the issue of whether or not the product is safe for consumer use. There is a lot of research on this matter and we recommend that anyone looking to find out more about this issue to please read the studies. We included a few for you to check out at your convenience.

Please note that the potential litigation regarding Roundup and the previous cases that have already been resolved were not for the purpose of proving that Roundup causes cancer. **Additionally, there is no definitive study that has absolutely proven that exposure to Roundup causes any type of cancer.**

November 2001

A study in [Cancer Epidemiology Biomarkers](#) linked Roundup® exposure to an increased risk of developing non-Hodgkin's lymphoma.

July 2003

[Occupational and Environmental Medicine](#) published data from three studies on Midwestern farmworkers linking glyphosate to a 60 percent increased risk of developing lymphoma.

October 2008

The [International Journal of Cancer](#) published data showing that men with Roundup® exposure had double the risk of developing non-Hodgkin's lymphoma.

March 2017

California's [Office of Environmental Health Hazard Assessment](#) (OEHHA) added glyphosate to the list of chemicals harmful to humans.

Part 4: Roundup® and Non-Hodgkin's Lymphoma

As the research on this issue continues to emerge, we have been contacted by many different prospective clients with various types of medical conditions that they believe are related to regular exposure to Roundup. At this time, we encourage anyone that has had regular use of Roundup for extended periods of time who have been diagnosed with any illness to please contact our office for a free case evaluation. Here is a list of conditions that we are currently considering.

Potential Roundup injury cases involve people diagnosed with conditions from regular Roundup exposure:

- Non-Hodgkin's Lymphoma
- Large B-Cell Lymphoma
- Peripheral T-Cell Lymphoma
- Follicular Lymphoma
- Hairy Cell Leukemia

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- Mantle Cell Lymphoma
- Burkitt Lymphoma
- Myelomonocytic Leukemia (MML)
- Multiple Myeloma
- Chronic Lymphocytic Leukemia
- Diffuse Large B-cell Lymphoma (DLBCL)
- Follicular Lymphoma
- Chronic Lymphocytic Leukemia (CLL) / Small Lymphocytic Lymphoma (SLL)
- Mantle Cell Lymphoma (MCL)
- Marginal Zone Lymphomas
- Burkitt Lymphoma
- Lymphoblastic Lymphoma (Waldenstrom macroglobulinemia)

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- Primary central nervous system (CNS) Lymphoma
- T-Cell Lymphoma
- Precursor T-lymphoblastic / leukemia
- Cutaneous T-Cell Lymphoma
- Adult T-cell leukemia Lymphoma
- Angioimmunoblastic T-cell Lymphoma (ATL)
- Extranodal natural killer / T-cell Lymphoma, nasal type
- Enteropathy-associated intestinal T-cell Lymphoma
- Anaplastic large cell Lymphoma (ALCL). There are different forms of ALCL.
- Peripheral T-cell Lymphoma, not otherwise specified (PTCL, NOS)

Part 5: The Alleged Cover Up

While Monsanto has always adamantly denied the possibility of any danger posed by Roundup, private, internal communications uncovered by recent litigation have brought forward a very different story. One scientist at Monsanto wrote an email to colleagues that said, “you cannot say that Roundup is not a carcinogen... we have not done the necessary testing on the formulation to make that statement,” before adding that the “testing on the formulations are not anywhere near the level of the active ingredient.”

Furthermore, these lawsuits have unsealed documents suggesting that Monsanto played a role in ghostwriting a number of scientific papers designed to ensure that glyphosate was found to be safe. Company executives were also found to be working with a former EPA employee as they tried to squash an investigation into glyphosate and were in turn given a heads up about the potential negative evaluation of the chemical, allowing them plenty of time to mount a full-scale public relations attack against any cancer link.

Other documents show that the scientific papers ghostwritten by Monsanto were cited by the EPA as the basis for their findings that glyphosate was not a carcinogen. This interference by Monsanto may be the main reason why there is still a lack of true understanding or consensus about the dangers posed by Roundup among the scientific community.

There is also evidence that Monsanto knew about the potential cancer risk but continued to market their herbicide as “less toxic than table salt” and “practically non-toxic,” leading to many people unknowingly exposing themselves to a probable carcinogen, and not taking adequate safety precautions due to the company’s marketing claims.

Part 6: Roundup and You

If you have had a history of exposure to Roundup, then you may be at an increased risk for cancer, particularly those individuals who worked with Roundup due to their line of employment (farmers, landscapers, turf management professionals, retail lawn center employees). If you've also been diagnosed with cancer, including other forms of cancer, such as brain, breast, bladder, lung, prostate, skin, or testicular cancer, then this may have been due to earlier exposure to glyphosate and have otherwise been avoidable if you don't have the traditional risk factors associated with the form of cancer you developed.

If you or a loved one has been diagnosed with cancer and has a history of regular exposure to Roundup, then it is important to know your legal rights and to seek the help of an experienced law firm. Monsanto made more than \$7 billion in 2017 alone thanks to Roundup and Roundup Ready Crops, while unknowing victims exposed themselves to this potential carcinogen and are now not only facing a physically and emotionally devastating battle with cancer, but also the ensuing financial hardships from medical expenses and lost wages.

You can be certain that the maker of Roundup, Monsanto has a significant number of lawyers on their side to protect their financial interests and market share, which is why it is imperative that you call, email or chat with an experienced dangerous product law firm that will fight on your side against a huge company with the resources that you would expect a large, wealthy company to have. Large companies that act negligently should be held accountable. Our lawyers can help investigate your claim and help you determine what your rights are under the law.

Auger Law is a client centered law firm and we have a tradition of being a dependable and hardworking plaintiff's law firm. We are passionate about protecting the rights of the injured, especially with our injured clients that have been hurt by the negligence or dishonesty of a large company. If you or a loved one would like to know more about our firm's handling of Roundup claims, or to discuss the specifics of your individual situation, don't hesitate to call Auger & Auger for an experienced and honest perspective on your potential Roundup injury case.

Having the right legal team on your side during such a confusing, traumatic and challenging time can mean all the difference, and our team will work hard to help ensure you receive the compensation that you are entitled to as a result of exposure to this dangerous chemical.

Part 7: How the Lawsuit Process Works

All companies have a “duty of care” to those who use their products. If they manufacture, distribute, or market products that injure or harm, they may be liable for negligence. Victims of negligence, including loved ones, are eligible to receive compensation, also called “damages.”

When a person brings a claim to court, the law calls it a tort. Torts are civil actions, not criminal ones. To be successful in a personal injury tort case, claimants (or plaintiffs) must prove that they, or a loved one, suffered an injury that led to their damages. These can be economic costs, like medical bills, or general damages like pain and suffering, or loss of consortium.

The plaintiff must prove that the defendant was negligent and that negligence directly or indirectly led to his or her injury. A plaintiff must also prove that he or she suffered an injury or damages. To show damages, evidence such as medical treatment and how the negligence affected the plaintiff will be considered.

The burden of proof in a civil case is by “a preponderance of evidence.” That means the plaintiff must show it was more likely than not that he or she was injured by the defendant’s actions. When several people are harmed under similar circumstances, it’s often beneficial to organize a mass tort action.

When consolidating mass tort claims, the Courts may consider the following factors:

- How many plaintiffs are involved?
- Where do they live?
- Are the injuries similar?
- Can the injuries be linked to one likely cause?

Mass tort actions are different from classaction suits, although the two processes are similar. While both bring similarly injured plaintiffs together in similar cases, a mass tort action has separate trials; in a class-action suit, the law treats all the plaintiffs as the same entity. Class-action suits have a single outcome, while mass tort litigation gives attorneys the ability to represent injured parties in individual cases and trials.

Hundreds of lawsuits have been filed over the past few years based on the development of aggressive forms of cancer like non-Hodgkin Lymphoma and these lawsuits allege that the company used false advertising claiming the products were safe to use while deliberately and knowingly concealing information to the contrary.

Due to the ever-growing number of lawsuits against Roundup, the litigation has been consolidated under a multi-district litigation (MDL), involving more than 380 lawsuits and some 3,500 plaintiffs, many of whom are agricultural workers who were unknowingly exposed to large doses of Roundup over long periods of time, and who have, in turn, been diagnosed with cancer.

Part 8: Report of a Successful Case Against Maker of Roundup

Roundup weed killer was a substantial factor in a California man's cancer, a jury determined Tuesday in the first phase of a trial that attorneys said could help determine the fate of hundreds of similar lawsuits. The unanimous verdict by the six-person jury in federal court in San Francisco came in a lawsuit filed against Roundup's manufacturer, agribusiness giant Monsanto. Plaintiff Edwin Hardeman, 70, was the second plaintiff to go to trial out of thousands around the country who claim the weed killer causes cancer. Hardeman's trial is before a different judge and may be more significant. U.S. Judge Vince Chhabria is overseeing hundreds of Roundup lawsuits and has deemed Hardeman's case and two others "bellwether trials."

Nathan Donley, a senior scientist at the Center for Biological Diversity, said in a statement to USA TODAY that the jurors "correctly held Monsanto responsible" for Hardeman's cancer. "And moral responsibility for any harm caused by the pesticide should be shared by the EPA regulators who ignored independent science and

failed to protect Americans from this dangerous toxin,” Donley said.

Ken Cook, president of the Environmental Working Group (EWG), said in a statement that "the testimony that informed the jury's decision was Bayer-Monsanto hiding Roundup's carcinogenic properties, manipulating the science and cozying-up with EPA so it would not have to warn consumers of its dangerous product.

The cancer-linked herbicide glyphosate was found in more than two dozen popular breakfast cereals and snack bars, according to the environmental advocacy organization report last year in levels “higher than what EWG scientists consider protective of children's health.” “Bayer-Monsanto has known for decades the cancer-causing properties of Roundup and I applaud the jury for holding the company accountable for failing to warn consumers of the known danger,” Cook said Wednesday.

In late February of 2019, the public-interest advocacy group U.S. PIRG released a report revealing that tests of five wines and 15 beers, including organic ones, found traces of glyphosate in 19 out of the 20.

Closing with Final Thoughts

Every day that we get to protect the rights of the injured is a fulfilling day. When we are contacted by potential clients, we are often doing so at a very dark time in their lives. We see people that are hurt, lost and in need of help and we take pride in trying to help them. In many situations we see a totally different person/client, if and when their case is resolved.

They are no longer lost and, in most cases, they are relieved. We take an immense sense of pride in knowing that we were a part of their recovery. We are grateful for their gratitude and their kind words. If you are reading this book because you or someone that you know may be suffering from an injury related to the weed killer Roundup, please know that we are sorry and that we are here to try and help.

The information in this book should not be taken as an attempt to answer every possible issue or question that a potential client may have, but it should be a guide designed to shine a light on some of the most very common conversations that we have with our

prospective clients every day. We answer these same questions every day when people call us. We will do the same for you.

If you or a loved one suffered harm after use of the herbicide Roundup, you may have lots questions, such as:

- Who will pay for my medical bills?
- How long will such a case take?
- Am I entitled to compensation for lost wages?
- How will I pay for my future medical care?
- Who will pay for my loved one's funeral expenses?
- Can I be compensated for loss of enjoyment of life?
- What damages does the law allow me to claim?
- How long do I have to file a claim?
- Do I need get my medical records?

- Can I get punitive damages?

A qualified dangerous drug and product law firm that handles Roundup injury claims can help you answer these questions.

You may be entitled to compensation that could reimburse you for economic damages and other compensable losses.

Your journey to a fair outcome begins with retaining the right lawyers – professionals who understand how to obtain fair compensation for their clients; lawyers with systems and processes in place to keep you up to date about your case's status and clear about your options.

The dangerous product lawyers at Auger Law have experience fighting and obtaining successful results for clients that have been injured due to the negligence of others. Over the years, our firm has **secured over \$50 million** for injury victims and their families.

At Auger Law, we offer a free initial case evaluation with one of our attorneys. A case evaluation allows us to review the specifics of your claim. We take our cases on a contingency-fee basis. We don't get paid unless there is a

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successful result in your case. Our Zero Fee Guarantee™ is our trade mark promise to our clients that means we only get paid if we are able to successfully conclude your case with a positive result.

To get started with your free initial consultation today, contact us at (800) 559-5741. We are available to talk 24 hours a day, 7 days a week.

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