

Townhall

AUGUST 10, 2019

Fraud and Corruption Bring Big Payoffs

Paul Driessen

8/3/2019 4:30:00 PM - Paul Driessen

San Francisco area juries have awarded cancer patients some \$80 million each for claims that the active ingredient in Roundup weedkiller, caused their cancer – and that the manufacturer negligently or deliberately failed to advise consumers that the glyphosate it contains is (allegedly) carcinogenic. [Judges reduced](#) the original truly outrageous awards to a maximum of even \$1 billion per plaintiff!

Meanwhile, ubiquitous ads are still trolling for new clients, saying anyone who has had Non-Hodgkin Lymphoma or other cancer could be the next jackpot winner. Mass tort plaintiff law firms have lined up 18,500 additional “corporate victim” plaintiffs for litigation alone.

Introduced in 1974, glyphosate is licensed in 130 countries. Millions of farm and home gardeners have made it the world’s most widely used herbicide – and one of the most studied chemicals in history. [Four decades and 3,300 studies](#) by respected academic organizations worldwide have concluded that glyphosate is safe and non-carcinogenic based on assessments of actual risk.

Reviewers include the U.S. [Environmental Protection Agency](#), [European Food and Drug Administration](#), [European Chemicals Agency](#), [UN Food, and Agriculture Organization](#), [German Federal Institute for Risk Assessment](#), and Australia’s [Pesticides and Veterinary Medicines Authority](#). [Health Canada](#), noted that “no pesticide regulatory authority in the world could find a cancer risk to humans at the levels at which humans are currently exposed to glyphosate.”

The National Cancer Institute’s ongoing [Agricultural Health Study](#) evaluates the health of farm families and their communities.

commercial pesticide applicators for over two decades – and likewise found *link*.

Only the France-based International Agency for Cancer Research (IARC), based its conclusions on just eight studies. Even worse, IARC manipulated studies to get the results it wanted. Subsequent reviews by epidemiologist [D](#) National Cancer Institute statistician [Dr. Robert Tarone](#), investigative journalist “RiskMonger” [Dr. David Zaruk](#) and other investigators have demonstrated that the study was tainted beyond repair.

The IARC results should never have been allowed in court. But the judges in the tort lawyers bombard the jury with IARC cancer claims, and went even further in the case, Judge Vincent Chhabria [blocked the introduction](#) of EPA analyses that “is not likely to be carcinogenic in humans,” based on its careful review of materials mentioned.

He said he wanted “to avoid wasting time or misleading the jury because the scientific studies show, not what the EPA concluded they show.” However, the original studies either. It just concluded that glyphosate is “*probably* carcinogenic. *It reviewed found limited* evidence of carcinogenicity in humans, plus *sufficient* carcinogenicity in lab animals that had been exposed to very high doses or long periods of time. In other words, under conditions that no animal or human would experience in the real world.

It is also instructive to look at the three San Francisco area courtroom proceedings from a different angle – an additional line of questioning that would have put glyphosate and the other substances on a different light and might have changed the outcome of these trials. Defense attorneys asked:

Can you describe your family cancer history ... your eating, exercise and sleep habits ... do you eat high-fat foods ... how often you eat fruits and vegetables ... and your exposure to environmental pollutants that doctors and other experts now know play significant roles in whether or not you get cancer?

How many times in your life [Johnson is 47 years old; Hardeman 70; Alva F 75] do you estimate you were exposed to substances on IARC’s list of **Group 1 carcinogens** – including sunlight, acetaldehyde in alcoholic beverages, aflatoxin, asbestos, cadmium in batteries, lindane ... or any of the 125 other substances? Have you ever smoked? How often have you been exposed to secondhand smoke? Have you eaten bacon, sausage or other processed meats – which are also in Group 1?

How many times have you been exposed to any of IARC's **Group 2A probable carcinogens** – *not just glyphosate* ... but also anabolic steroids, creosote, malathion, emissions from high-temperature food frying, shift work ... or any substances and activities in Group 2A? How often have you consumed beef or pork likewise in Group 2A?

How many times have you been exposed to any of IARC's **Group 2B possible carcinogens** – including bracken ferns, chlordane, diesel fuel, fumonisin, frequency magnetic fields, malathion, parathion, titanium oxide in white paint, caffeic acid in coffee, tea, apples, broccoli, kale, and other fruits and vegetables, and 200 other substances and activities in Group 2B?

Pyrethrin pesticides used by organic farmers are [powerful neurotoxins](#) that harm cats, and fish – and have been linked by EPA and other experts to [leukemia](#) and other health problems. How often have you eaten organic foods and perhaps pyrethrins?

Large quantities of glyphosate have been manufactured for years in China and do you know the glyphosate you were exposed to was manufactured by Bayer?

In view of all these exposures, please explain how you, your doctors, your lawyer, or the experts you consulted concluded that none of your family history ... none of your lifestyle choices ... none of your exposures to dozens or even hundreds of other substances on IARC's list ... caused or contributed to your cancer – and that your cancer is due *solely to glyphosate*.

Put another way, please explain exactly how you and your experts separated the various exposures and lifestyle decisions – and concluded that Roundup from Bayer was *the sole reason you got cancer* – and all these other factors played no role whatsoever.

News accounts do not reveal whether Bayer-Monsanto lawyers asked these questions or if they tried to ask them, but the judges disallowed the questions. In any event, the questions were not asked.

It is bad enough that the IARC studies at the center of these jackpot justice lawsuits are the result of rampant collusion, misconduct, and even fraud in the way IARC concluded that Roundup was a "probable human carcinogen." It is worse that these cancer trials have been the result of lawyers' emotional appeals to jurors' largely misplaced fears of chemicals and chemical risks, medicine, and cancer – resulting in outrageous awards and more.

Worst of all, our Federal District Courts have let misconduct by plaintiff law lawsuits; prevented defense attorneys from effectively countering IARC can the agency's gross misconduct; and barred defense attorneys from presenting that glyphosate is not carcinogenic to humans. The trials have been textbook justice.

The cases are heading to appeal, ultimately to the U.S. Supreme Court. We c judges will return sanity, fairness, and justice to the nation's litigation proce system will be irretrievably corrupted; products, technologies, companies, a be driven out of existence; and fraud, emotion, and anarchy will reign.

Jackpot-justice law firms and their anti-chemical activist allies are already t have "detectable" levels of glyphosate: a few parts per billion or trillion, whe second in 32,000 years. Talc and benzene – foundations for numerous cons already under attack. Advanced technology [neonicotinoid pesticides](#) could b

It's all part of a coordinated, well-funded attack on America, free enterprise social media, litigation, intimidation, and confrontation. Our legislatures an in.