

Viewpoint: Glyphosate weedkiller is dangerous and should be banned, or the \$11 billion Roundup settlement is a legal ‘shakedown’

Plaintiffs allege that glyphosate—a widely used herbicide—is carcinogenic. Though it looks like Bayer will end up paying nearly \$11 billion dollars to settle various class action lawsuits, glyphosate will remain on the market as approved by the Environmental Protection Agency (“EPA”). Something is rotten in the State of Denmark. Either glyphosate is dangerous and should be taken off the market or the Roundup Settlement is a plaintiffs’ bar shakedown.

Glyphosate has been registered as a pesticide in the United States since 1974.

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[Since then, the] “EPA [continue\[d\] to find](#) that there are no risks of concern to human health when glyphosate is used in accordance with its current label.” Further, EPA “[also found](#) that glyphosate is unlikely to be a human carcinogen.” The EPA’s findings explain why Roundup will remain on the market but raise questions about the fairness of a tort system resulting in an \$11 billion dollar settlement over a product that the EPA considers to be safe.

And then there’s the money. Lead plaintiffs’ attorneys are requesting a cool \$800 million in common benefit funds. That amount seems exorbitant, but doesn’t even represent all of the cash the plaintiffs’ bar will rake in.

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The Roundup litigation looks like the gift that keeps giving—to the lawyers.

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