

Hunger explained?

<https://lafex.org/hunger-explained/>

13 August 2018

Monsanto case : a result that does not solve the problem and illustrates the perverse nature of the so-called “consumer protection system”

On Friday 10 August 2018, the jury of a San Francisco court condemned Monsanto to pay \$289 million, estimating that the agrochemical multinational was responsible for the lymphoma of an American gardener and that it had “*acted with malice or oppression*” when not disclosing that its Roundup and Ranger Pro products had potentially life-threatening effects.



The company announced that it would appeal.

The condemnation of Monsanto is commendable. But a trial is no solution. It does nothing for the health of the gardener who is said to be close to death, nor does it change anything for thousands of other proven or potential victims of dangerous agrochemicals.

The perversity of the so-called consumer protection system is that it is quite ineffective, as dangerous products remain legally authorised for sale. Who could believe that the money that the gardener will be paid - if he survives a judicial process that is likely to last for much longer - could compensate his loss of health? As if everything could be settled with money!

Monsanto is of course responsible for the negative consequences of the mass of toxic products it produces and sells. But this responsibility is also shared by authorities who are incapable or refuse to establish a system that effectively prevents sales of poisonous goods and who accept opaque protocols ruling tests performed before they are authorised for sale. Let's remind here that product certification is based on tests conducted under the

responsibility of the producing firms and that their results are not accessible to the scientific community...

The reaction of some policy makers following this trial, who try to clear themselves of any responsibility by pointing fingers at multinationals, reminds us of a childish behaviour. This will fool no one.

The issue is not to simply punish and repair the damage caused - if it were possible, which is quite doubtful - but to prevent negative consequences by establishing an effective mechanism that makes impossible what happened to this gardener and to hundreds of thousands other people throughout the world [\[read\]](#). Juste punishing is a long and very costly process, as it does not prevent disasters that it simply sanctions only once facts have been verified.

The issue is to act before the problem occurs and not after the facts, as is the case now. It is useless to punish firms that respect iniquitous rules that allow - sometimes even encourage - lies and dissimulation. What is needed here is a change of rules.

If the decision of the Californian court is confirmed, this would constitute a judicial precedent that would most probably influence decisions taken in the thousands of on-going cases against Monsanto and other similar companies. This would only contribute to erode the superprofits of some multinationals and perhaps even endanger some firms and threaten jobs, instead of obliging (and encouraging) the development of environment and health-friendly technologies.

So if legal cases multiply and the rules are not changed and seriously implemented, nothing will have changed and the dangers for users, consumers and the environment will remain the same as today; and the human costs will remain unchanged.

This cannot be an adequate solution because one cannot be satisfied with court cases! It is the rules and the whole consumer protection system that needs to be reformed in-depth.

This is the role of our policy makers and they must assume it.

To know more :

- Bellon, T., Monsanto ordered to pay \$289 million in world's first Roundup cancer trial, Reuters, 2018.

Earlier articles on hungerexplained.org related to the topic:

- Production and use of pesticides: an infringement on the rights to food and health, 2017
- Food, Environment and Health, 2014/2017.
- The large multinational corporations in charge of our agri-food system...: upstream corporations, 2014.
- Fourth principle : Development of research on a sustainable and accessible agricultural technology, 2013.
- Food quality and safety, 2012.

and other articles in our thematic pages on Pesticides use and Governance.