



Pesticide newsletter

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Jurisdictional news



United States: Texas grape growers affected by dicamba sue Monsanto and BASF

At the beginning of June 2021, 57 Texas winegrowers took [legal action](#) against Monsanto and BASF in Texas state court. At issue is dicamba, an herbicide marketed by these companies, massively used on genetically modified soybean and cotton crops, and which high volatility endangers the surrounding vineyards. According to the Texan winemakers, 95% of their vines have been damaged by the chemical. They are each claiming a minimum of one million dollars in damages from the two agrochemical giants.

The economic cost is not only the loss of yield of their vines. The growers point out that these operating losses lead to the cancellation of contracts at the last

moment and stigmatize their estates in the long term. The vulnerability of wineries to dicamba is a major issue for the Texas region, where the [wine industry](#) is worth \$13.1 billion and employs over 100,000 people. The damage caused by dicamba is so extensive that many farmers are beginning to doubt the sustainability of their business if the situation continues for several more years. Indeed, after a few years of exposure to dicamba, older vines are more susceptible to other external factors and die much earlier. Younger vines, on the other hand, have difficulties in growing on contaminated plots.

This lawsuit follows [thousands of other lawsuits](#) filed by farmers whose crops were destroyed by dicamba sprayed on GMO soy and cotton fields. The first ruling in these lawsuits found Bayer/Monsanto and BASF liable for the damages suffered by peach farmer Bader and [ordered](#) them to jointly pay him \$75 million. Following this first judgment, Bayer and BASF announced that they would pay \$400 million for the damage claims of farmers who allegedly had their farms damaged by dicamba.

However, the companies claim that their herbicide is safe, as long as the instructions for use are respected. They point out that the Environmental Protection Agency (EPA) renewed the authorization of dicamba for five years on October 27, 2020. In fact, this renewal of dicamba's authorization, under the Trump administration, circumvented the [ban](#) decided by the U.S. Ninth Circuit Court of Appeals on June 3, 2020. At the time, the Court found that the EPA had failed to consider the damage caused to farmers and the environment by dicamba use, particularly since 2017, when its use exploded with the release of soybeans and cotton that were genetically modified to withstand the herbicide. And an explosive [report](#) from the EPA's Office of Inspector General on May 24, 2021, shows that senior EPA officials forced the agency's scientists to change their analyses to minimize the risks posed by dicamba for its 2018 approval.

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