

## Pesticide newsletter

N°5 - September 2021

### Jurisdictional news



#### **France: Monsanto sanctioned for illegal file of public personalities**

The French National Commission for Information Technology and Civil Liberties (CNIL) issued an [administrative fine](#) of € 400,000 on July 28, 2021 against the agrochemical company Monsanto (Bayer) for keeping a secret file of more than two hundred public figures opposed to glyphosate. Following the revelation of this illegal filing revealed in 2019 by the French daily newspaper [Le Monde](#) and the television channel France 2, CNIL has received [seven complaints](#) from people registered in the file.

The restricted formation (the CNIL body in charge of sanctions) found in favor of the plaintiffs and criticized Monsanto for its failure to inform the persons included in the file, who only learned of its existence when it was revealed in the media in 2019. This file was intended to sway opinion during the public debate on the ban on glyphosate. CNIL also sanctioned the fact that the company had not put in place the contractual guarantees that should normally govern relations with a subcontractor.

CNIL considers that the creation of contact files by interest representatives for lobbying purposes is not illegal per se, but that it is necessary to inform the

persons concerned of the existence of the file containing personal data in order to allow them to exercise their rights, in particular their right of opposition.

More than 200 personalities (journalists, politicians, lawyers, scientists...) had been secretly classified and rated according to their degree of support or opposition to glyphosate or more generally to pesticides and genetically modified organisms (GMOs). Justice Pesticides' chair, Corinne Lepage, a lawyer and former Minister of the Environment, was one of those illegally listed as well as MEP Michèle Rivasi, co-founder and board member of Justice Pesticides.

Monsanto reacted to the sentence by pointing out that it was the [lobbying firm](#) FleishmanHillard that was in charge of processing the personal data and that it was therefore up to them to inform the persons concerned. This case shows above all that the use of lobbying firms by large agrochemical companies is an integral part of their [disinformation](#) strategy. The amount of the fine for illegal data processing of personalities seems ridiculous in comparison with the financial means of Monsanto (Bayer).

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