



## Newsletter about Pesticides

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### Jurisdictional News



#### **Germany: Action against Bayer by its investors**

[On December 30, 2021](#), the German law firm [TILP](#) filed claims against the agrochemical company Bayer at the Cologne District Court, seeking damages totaling approximately €2.2 billion on behalf of approximately 320 investors.

Based on the procedure under the [German KapMug Act](#), which allows for claims for damages due to false, misleading or inadequate financial information, the court agreed to publish the class action on December 15, 2021. This key step paves the way for the collection of investor complaints for a model proceeding and a class action, which is what lawyers are requesting, hoping for a trial as early as this year.

The plaintiff investors are 288 institutional investors such as banks, asset management companies, insurance companies and pension funds from various countries around the world, plus many other private investors.

The complaints relate to purchases of Bayer shares made between 2016 and 2019. The investors accuse the group of violating its obligations under capital

markets law in connection with the acquisition of Monsanto and not informing them sufficiently about the financial risks caused by the glyphosate legal proceedings after the acquisition of Monsanto in 2018.

More than €30 billion in market capitalization was lost as a result of the Monsanto purchase and investors believe they paid far too much for the shares. Bayer denies any wrongdoing and says it has complied with the law and fulfilled its obligations.

The court will determine whether Bayer concealed significant financial risks from the market in connection with the acquisition of the US company. This lawsuit is not unlike [the U.S. class action suit](#) in which Bayer's American shareholders filed a lawsuit against the company, which they accuse of not informing them of the risks associated with glyphosate when it acquired Monsanto in 2018, and from which they are seeking damages.

These lawsuits against Bayer are driven by economic and financial considerations, not by considerations about the dangers of Monsanto's pesticides, but are indicative that the many lawsuits by Roundup victims against Monsanto, producer of the herbicide, have taken a toll on the financial value of Bayer, the company that bought it.

*If you've made it this far, can you make one more tiny effort?*

*Justice Pesticides needs your help to continue this work of investigation and information to support victims of pesticides.*

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