

# EXHIBIT 3

Michael Koch, Ph.D.

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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: ROUNDUP PRODUCTS ) MDL No. 02741  
LIABILITY LITIGATION )  
)  
)  
THIS DOCUMENT RELATES TO: )  
)  
ALL ACTIONS ) Hon. Vince Chhabria

VIDEO DEPOSITION OF MICHAEL KOCH, PhD

January 11, 2019  
9:07 a.m.

Reporter: John Arndt, CSR, CCR, RDR, CRR  
CSR No. 084-004605  
CCR No. 1186

1 Q. (By Mr. Wisner) Isn't the actual truth of  
2 the matter, sir, that the reason why Monsanto hasn't  
3 done these long-term studies is because it would create  
4 a dangerous precedent to be avoided?

5 A. No.

6 MR. BRENZA: Object to form.

7 Q. (By Mr. Wisner) Isn't it true that  
8 Monsanto's concern with doing these studies is because  
9 it would cost \$1.5 million and over three years of  
10 time?

11 MR. BRENZA: Object to form. Assumes  
12 matters not in evidence.

13 A. I don't believe Monsanto is concerned  
14 about the time or the money that it takes to run a  
15 study when we believe it's warranted.

16 Q. (By Mr. Wisner) Handing you Exhibit 14 to  
17 your deposition.

18 [Exhibit 14 marked for identification.]

19 Q. Do you see this is an e-mail from  
20 yourself, sir?

21 A. Yes.

22 Q. It's dated October 11th, 2012. Do you see  
23 that?

24 A. Yes.

1 Q. And you see that its subject line,  
2 Séralini, key points from Americas, Europe, and Asia  
3 teleconferences yesterday?

4 A. Yes.

5 Q. And there's an e-mail from you and you're  
6 sending it to various people within Monsanto, including  
7 Dr. Saltmiras?

8 A. Yes.

9 Q. Dr. Vicini?

10 A. Yes.

11 Q. Dr. Heydens?

12 A. Yes.

13 Q. And if you look at this thing, the first  
14 paragraph under Mike, it says when a GMO product has  
15 been demonstrated. Do you see that?

16 A. Yes.

17 Q. So if we go through this paragraph, it  
18 goes there is no scientific reason to believe that  
19 chronic toxicity testing would generate additional  
20 information. If we conduct a chronic study in response  
21 to Séralini's efforts, there is significant risk that  
22 one study on one product would not end the debate.  
23 That is, detractors and possibly regulators may see  
24 this, despite our best positioning, as an admission

1 that studies are needed and/or a demonstration that we  
2 are willing to do them, resulting in requests for these  
3 studies on a routine basis.

4 Given the lack of scientific need, the  
5 time required to complete three years, including  
6 reporting, and the significant financial investment,  
7 \$1.5 million, the toxicology team considers conduct of  
8 such studies a dangerous precedent to be avoided.  
9 That's what it reads; right?

10 A. It does.

11 Q. And so one of the reasons why Monsanto  
12 does not want to conduct these studies is because it  
13 would be too expensive, it would take too long, and it  
14 would set, quote, a dangerous precedent that needs to  
15 be avoided?

16 MR. BRENZA: Vague. Compound. Calls for  
17 speculation.

18 A. When I look at this paragraph, it's clear  
19 that we're talking specifically about GM crops in this  
20 situation, a GM product. And so GM crops are --  
21 there's a weight of evidence that's generated for them.  
22 It's molecular. You're characterizing where the insert  
23 occurs. You look compositional. You're looking into  
24 nutritional profile of the compounds. You're looking