

# Guard, James 2018-09-14 Final Played in Court

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Guard, James 09-13-2018  
Guard, James 09-14-2018

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Total Time 00:37:20



Page/Line	Source	ID
6:2 - 6:4	<b>Guard, James 09-13-2018 (00:00:05)</b> 6:2 6:3 The witness, JAMES GUARD, first having been duly 6:4 sworn, testified as follows:	Guard.1
6:6 - 6:6	<b>Guard, James 09-13-2018 (00:00:01)</b> 6:6 Q. Mr. Guard, good morning again. I	Guard.2
6:24 - 7:4	<b>Guard, James 09-13-2018 (00:00:11)</b> 6:24 Q. You have been designated as a corporate 7:1 representative of Monsanto on a number of different 7:2 topics involving sales, marketing, advertising, and 7:3 labeling. Do you understand that? 7:4 A. I do.	Guard.3
32:4 - 32:6	<b>Guard, James 09-13-2018 (00:00:07)</b> 32:4 Q. (By Mr. Jerry Kristal) Did you have any 32:5 information or training as to the chronic toxicity 32:6 testing of glyphosate?	Guard.4
32:8 - 32:11	<b>Guard, James 09-13-2018 (00:00:09)</b> 32:8 A. What do you mean when you say chronic? 32:9 Q. (By Mr. Jerry Kristal) I don't know. 32:10 You're the global lawn and garden lead. Have you ever 32:11 heard of the term chronic toxicity?	Guard.5
32:14 - 32:14	<b>Guard, James 09-13-2018 (00:00:01)</b> 32:14 A. No.	Guard.6
32:15 - 32:17	<b>Guard, James 09-13-2018 (00:00:01)</b> 32:15 Q. (By Mr. Jerry Kristal) Never heard of 32:16 that? 32:17 A. No.	Guard.7
41:23 - 43:8	<b>Guard, James 09-13-2018 (00:01:19)</b> 41:23 As the global lawn and garden lead, your job duties 41:24 included United States media and advertising; correct? 42:1 A. That is correct. 42:2 Q. It included long-range planning and 42:3 budgeting; correct? 42:4 A. Correct. 42:5 Q. It included development of the annual 42:6 business plan and strategy? 42:7 A. Yes. 42:8 Q. It involved at times conflict resolution? 42:9 A. Yes. 42:10 Q. It involved project management and product	Guard.8

Page/Line	Source	ID
	42:11 development; correct?	
	42:12 A. Correct.	
	42:13 Q. It included managing the advertising media	
	42:14 and product development for Canada?	
	42:15 A. Yes.	
	42:16 Q. It involved managing the expansion of	
	42:17 Monsanto lawn and garden products into Mexico?	
	42:18 A. Correct.	
	42:19 Q. It involved oversight of the international	
	42:20 and United States business; correct?	
	42:21 A. Correct.	
	42:22 Q. It involved what are called brand	
	42:23 extension projects; correct?	
	42:24 A. Correct.	
	43:1 Q. It involved managing various licensing	
	43:2 agreements to different entities?	
	43:3 A. Yes.	
	43:4 Q. And it also involved what was called	
	43:5 obsolete inventory management; correct?	
	43:6 A. Correct. All within the scope of the lawn	
	43:7 and garden space. That's right.	
	43:8 Q. That's right. Okay.	
75:13 - 75:14	<b>Guard, James 09-13-2018 (00:00:06)</b>	<b>Guard.9</b>
	75:13 it. You certainly agree as Monsanto's representative	
	75:14 that consumers have a freedom of choice; correct?	
75:17 - 75:21	<b>Guard, James 09-13-2018 (00:00:12)</b>	<b>Guard.10</b>
	75:17 A. I believe in the free market and consumers	
	75:18 can go to a shelf and buy what products they like.	
	75:19 Q. (By Mr. Jerry Kristal) Okay. And part of	
	75:20 making an informed decision is having knowledge about	
	75:21 the hazards of the product; correct?	
75:24 - 76:1	<b>Guard, James 09-13-2018 (00:00:05)</b>	<b>Guard.11</b>
	75:24 A. That could be -- that is a consideration	
	76:1 that consumers likely would factor in.	
88:5 - 88:9	<b>Guard, James 09-13-2018 (00:00:15)</b>	<b>Guard.12</b>
	88:5 Q. (By Mr. Jerry Kristal) Sure. Let's mark	<b>GJ2.1</b>
	88:6 as Exhibit 2 what we're -- the safety data sheet that	
	88:7 you brought in this morning that you reviewed for	
	88:8 Roundup Ready-to-Use Weed and Grass Killer III dated	<b>GJ2.1.1</b>
	88:9 October 15th of 2015. Thank you. Now, let's start	

Page/Line	Source	ID
88:9 - 89:2	<p><b>Guard, James 09-13-2018 (00:00:48)</b></p> <p>88:9 October 15th of 2015. Thank you. Now, let's start  88:10 very generally. Safety data sheets get updated  88:11 periodically. You're aware of that; correct?  88:12 [Exhibit 2 marked for identification.]  88:13 A. Yes.  88:14 Q. And this particular safety data sheet is  88:15 after the International Agency for Research on Cancer  88:16 determined that glyphosate was a probable carcinogen;  88:17 correct?  88:18 A. Correct.  88:19 Q. And you know that a company is required to  88:20 put an IARC finding of probable carcinogenicity on  88:21 their safety data sheets for a product; correct?  88:22 A. That's right. OSHA requires that  88:23 administratively.  88:24 Q. Do you know why OSHA requires companies to  89:1 list a finding by the International Agency for Research  89:2 on Cancer?</p>	Guard.13
89:5 - 89:11	<p><b>Guard, James 09-13-2018 (00:00:16)</b></p> <p>89:5 A. I don't know why.  89:6 Q. (By Mr. Jerry Kristal) As Monsanto's  89:7 representative, is it your understanding that OSHA must  89:8 at least give credence to the findings of the  89:9 International Agency for Research on Cancer if they  89:10 require companies to put their findings in safety data  89:11 sheets?</p>	Guard.14
89:14 - 89:23	<p><b>Guard, James 09-13-2018 (00:00:17)</b></p> <p>89:14 A. I don't know. I don't know what --  89:15 there's others within the company that would have a  89:16 deeper understanding of that.  89:17 Q. (By Mr. Jerry Kristal) Okay. And OSHA is  89:18 the Occupational Safety and Health Administration;  89:19 correct?  89:20 A. Yes.  89:21 Q. And OSHA was established in the early  89:22 1970s for worker protection; correct?  89:23 A. I don't know.</p>	Guard.15
89:24 - 89:24	<p><b>Guard, James 09-13-2018 (00:00:01)</b></p> <p>89:24 Q. What's your understanding of what OSHA is?</p>	Guard.16

Page/Line	Source	ID
90:3 - 90:15	<p><b>Guard, James 09-13-2018 (00:00:45)</b></p> <p>90:3 A. Very high level. I know what it stands  90:4 for. I know their job is to ensure the safety of  90:5 workers in the United States.  90:6 Q. (By Mr. Jerry Kristal) Okay. And in  90:7 following their responsibilities to ensure the safety  90:8 of workers in the United States, you know that they  90:9 require a company to put a statement about IARC's  90:10 finding if IARC finds a substance to be a probable  90:11 carcinogen; correct?  90:12 A. Right. If -- my understanding is OSHA has  90:13 regulations that require if IARC finds that -- I don't  90:14 believe OSHA does any kind of evaluation of that data  90:15 themselves.</p>	Guard.17
92:3 - 92:7	<p><b>Guard, James 09-13-2018 (00:00:10)</b></p> <p>92:3 Q. (By Mr. Jerry Kristal) Okay. And so if  92:4 OSHA is requiring something, Monsanto wouldn't not  92:5 provide that information; correct?  92:6 A. Monsanto will follow the requirements of  92:7 OSHA.</p>	Guard.18
92:16 - 92:19	<p><b>Guard, James 09-13-2018 (00:00:08)</b></p> <p>92:16 Q. (By Mr. Jerry Kristal) Right. So you put  92:17 what was required by the Occupational Safety and Health  92:18 Administration and then you basically said we disagree  92:19 with that; correct?</p>	Guard.19 GJ2.6.1
92:22 - 92:22	<p><b>Guard, James 09-13-2018 (00:00:01)</b></p> <p>92:22 A. Yeah, that's correct.</p>	Guard.20
93:4 - 93:7	<p><b>Guard, James 09-13-2018 (00:00:09)</b></p> <p>93:4 Q. And there are various precautionary  93:5 measures that are listed in a safety data sheet;  93:6 correct?  93:7 A. Yes.</p>	Guard.21
96:12 - 96:15	<p><b>Guard, James 09-13-2018 (00:00:12)</b></p> <p>96:12 Q. Okay. So there's lots of precautionary  96:13 information in the safety data sheet for the exact same  96:14 product which is not on the label that the consumer  96:15 would be reading; correct?</p>	Guard.22 clear - GJ203.1.1
96:19 - 97:5	<p><b>Guard, James 09-13-2018 (00:00:25)</b></p> <p>96:19 A. There's different texts describing the  96:20 warnings or precautions.</p>	Guard.23

Page/Line

Source

ID

96:21 Q. Okay. Is there anything in the label that  
 96:22 says avoid -- strike that. I'm going to read from the  
 96:23 safety data sheet, Exhibit 2, and then I'm going to ask  
 96:24 you if that statement is in the label that the consumer  
 97:1 would see. Okay?

97:2 A. Okay.

97:3 Q. All right. Is there anything in the label  
 97:4 that says -- quote -- "avoid breathing vapor or  
 97:5 mist" -- end quote?

97:6 - 97:14

**Guard, James 09-13-2018 (00:00:26)**

Guard.24

97:6 A. No, there isn't.

97:7 Q. Okay. Quote -- "wash hands" -- strike  
 97:8 that. Quote -- "when using, do not eat, drink, or  
 97:9 smoke" -- end quote. That's on the safety data sheet,  
 97:10 Exhibit 2. Is that in the label?

97:11 A. No.

97:12 Q. Quote -- "wash hands thoroughly after  
 97:13 handling or contact" -- end quote. That's in the  
 97:14 safety data sheet. Is that in the label?

97:18 - 97:18

**Guard, James 09-13-2018 (00:00:01)**

Guard.25

97:18 A. No.

97:19 - 98:18

**Guard, James 09-13-2018 (00:01:11)**

Guard.26

97:19 Q. From the safety data sheet -- quote --  
 97:20 "wash contaminated clothing before reuse" -- end quote.  
 97:21 That statement is not in the label; correct?

97:22 A. There's a statement that says wash  
 97:23 thoroughly with soap and water after handling. That's  
 97:24 referring to your hands, but not the clothing. Well,  
 98:1 no, that is referring to both eyes and clothing.

98:2 Q. Where is that statement? It says avoid  
 98:3 contact with eyes or clothes in the label. Wash  
 98:4 thoroughly with soap and water after handling.

98:5 A. Right. That's a required statement by the  
 98:6 EPA that's on there. Yes.

98:7 Q. But the wash contaminated clothing before  
 98:8 reuse is not on the label; correct?

98:9 A. Correct.

98:10 Q. There's no statement about thoroughly  
 98:11 cleaning equipment after use -- correct -- which is in  
 98:12 the safety data sheet -- no such statement on the

Page/Line

Source

ID

98:13 label?

98:14 A. No.

98:15 Q. Nothing about not -- the SDS, the safety

98:16 data sheet, says do not contaminate drains, sewers, or

98:17 waterways when disposing of equipment. Rinse water,

98:18 end quote. That's not on the label; correct?

98:19 - 99:16

**Guard, James 09-13-2018 (00:00:49)**

Guard.27

98:19 A. No.

98:20 Q. On the safety data sheet, Section 8

GJ203.1.2

98:21 references exposure controls and personal protection.

98:22 Do you see that?

98:23 A. Section 8?

98:24 Q. Yes. On the safety data sheet.

99:1 A. Okay. What about Section 8?

99:2 Q. It's entitled exposure controls/personal

99:3 protection; correct?

99:4 A. Correct.

99:5 Q. And then there's a Section 8.3 that

99:6 says -- quote -- "recommendations for personal

99:7 protective equipment" -- end quote. Do you see that?

99:8 A. Yes.

99:9 Q. Section 8.3.1 is entitled eye protection;

99:10 correct?

99:11 A. Yes.

99:12 Q. Quote -- "if there is significant

99:13 potential for contact, wear chemical goggles" -- end

99:14 quote. Do you see that?

99:15 A. Yes.

99:16 Q. No such statement on the label; right?

99:17 - 100:2

**Guard, James 09-13-2018 (00:00:24)**

Guard.28

99:17 A. Correct. No statement to wear goggles.

99:18 Q. Section 8.3.2 is entitled skin protection;

99:19 correct?

99:20 A. Yes.

99:21 Q. And it reads -- quote -- the safety data

99:22 sheet reads -- quote -- "no special requirement when

99:23 used as recommended. If repeated or prolonged contact,

99:24 wear chemical-resistant gloves" -- end quote. That's

100:1 not on the label; correct?

100:2 A. Correct.

clear

Page/Line	Source	ID
104:19 - 104:23	<b>Guard, James 09-13-2018 (00:00:13)</b> 104:19 Q. (By Mr. Jerry Kristal) Okay. Would you 104:20 want to know if an herbicide that you go into a Home 104:21 Depot, for example, to purchase could get into your 104:22 bloodstream? Would you want to know that fact before 104:23 making a purchasing decision?	Guard.29
105:2 - 105:3	<b>Guard, James 09-13-2018 (00:00:01)</b> 105:2 A. Yeah. Yeah. I mean, you're asking me to 105:3 speculate.	Guard.30
116:20 - 116:23	<b>Guard, James 09-13-2018 (00:00:09)</b> 116:20 Q. But the safety data sheets are not 116:21 provided with Roundup lawn and garden products to the 116:22 consumer purchasing them; correct? 116:23 A. Correct.	Guard.31
116:24 - 117:3	<b>Guard, James 09-13-2018 (00:00:23)</b> 116:24 Q. I want to mark as Exhibit 4 a safety data 117:1 sheet dated December 15th, 2010, for the Monsanto 117:2 Company lawn and garden product Roundup Weed and Grass 117:3 Killer Super Concentrate, and the Bates number is	Guard.32 GJ4.1 GJ4.1.1
117:8 - 117:9	<b>Guard, James 09-13-2018 (00:00:01)</b> 117:8 Q. (By Mr. Jerry Kristal) Have you ever seen 117:9 this before?	Guard.33
117:10 - 117:10	<b>Guard, James 09-13-2018 (00:00:01)</b> 117:10 A. I don't recall.	Guard.34
117:11 - 117:21	<b>Guard, James 09-13-2018 (00:00:28)</b> 117:11 Q. Roundup Weed and Grass Killer Super 117:12 Concentrate was one of the Roundup 117:13 glyphosate-containing products that you were 117:14 responsible for; correct? 117:15 A. Yes. 117:16 Q. And when a product is designated as a 117:17 concentrate or a Super Concentrate, that means that it 117:18 comes in a concentrated form in a container that the 117:19 consumer has to take a portion of and then mix with 117:20 water; correct? 117:21 A. Correct.	Guard.35
117:22 - 118:7	<b>Guard, James 09-13-2018 (00:00:26)</b> 117:22 Q. And there have been marketing studies -- 117:23 we'll take a look at -- in terms of who the Super 117:24 Concentrate -- sort of the demographics of those	Guard.36



Page/Line	Source	ID
118:8 - 118:21	<p>118:1 consumers; correct?  118:2 A. Correct.  118:3 Q. And those are generally, in terms of who  118:4 purchases Super Concentrate, individuals who are heavy  118:5 users of Roundup; correct?  118:6 A. Generally speaking, correct.  118:7 Q. And on the safety data sheet, on the first  <b>Guard, James 09-13-2018 (00:00:28)</b>  118:8 page, Section 2 is entitled hazards identification;  118:9 correct?  118:10 A. Yes.  118:11 Q. And it reads -- quote -- "caution,  118:12 exclamation point, causes moderate, but temporary eye  118:13 irritation, causes skin irritation. Harmful if  118:14 inhaled" -- end quote. Do you see that?  118:15 A. I do.  118:16 Q. And that's all in capital letters;  118:17 correct?  118:18 A. Correct.  118:19 Q. And your understanding of that is that  118:20 that is done to draw somebody's attention to it;  118:21 correct?</p>	<p><b>Guard.37</b>  GJ4.1.2</p>
118:24 - 118:24	<p><b>Guard, James 09-13-2018 (00:00:02)</b></p>	<b>Guard.38</b>
119:1 - 119:5	<p>118:24 A. I don't know why it's capitalized.  <b>Guard, James 09-13-2018 (00:00:10)</b>  119:1 Q. (By Mr. Jerry Kristal) As Monsanto's  119:2 representative on safety data sheet process and  119:3 labeling, you have no idea why Monsanto was  119:4 capitalizing certain information in the safety data  119:5 sheet?</p>	<p><b>Guard.39</b>  clear</p>
119:8 - 119:15	<p><b>Guard, James 09-13-2018 (00:00:23)</b>  119:8 A. What I know is we have experts who follow  119:9 the guidelines as required by OSHA in preparing these,  119:10 and I relied on those experts to prepare these  119:11 according to that requirement.  119:12 Q. (By Mr. Jerry Kristal) I'm not asking you  119:13 about that. I'm asking you whether it's your sworn  119:14 testimony that you have no understanding as to why that  119:15 section is capitalized --</p>	<b>Guard.40</b>
119:17 - 119:18	<p><b>Guard, James 09-13-2018 (00:00:02)</b></p>	<b>Guard.41</b>



Page/Line	Source	ID
	121:11 of what they're referring to on this. I know we have 121:12 experts that do have that detailed knowledge. 121:13 Q. Okay. So as Monsanto's designated expert 121:14 on the subject of safety data sheets, you don't have 121:15 that knowledge?	clear
121:18 - 121:21	<b>Guard, James 09-13-2018 (00:00:07)</b> 121:18 A. I know the process that we follow. 121:19 Q. (By Mr. Jerry Kristal) Okay. Well, I 121:20 thought you just told me you didn't know the process, 121:21 other than you believed it was rigorous.	Guard.46
121:24 - 122:5	<b>Guard, James 09-13-2018 (00:00:10)</b> 121:24 Q. (By Mr. Jerry Kristal) Do you know the 122:1 process? 122:2 A. I know at a high level the process. 122:3 Q. And at the high level, other than your 122:4 belief that the process is rigorous, do you have any 122:5 other knowledge of the process?	Guard.47
122:8 - 122:13	<b>Guard, James 09-13-2018 (00:00:18)</b> 122:8 A. That we collect information from various 122:9 groups within Monsanto to prepare this in accordance 122:10 with OSHA. 122:11 Q. (By Mr. Jerry Kristal) You certainly know 122:12 that companies can add information, particularly safety 122:13 information, into a safety data sheet; correct?	Guard.48
122:15 - 122:16	<b>Guard, James 09-13-2018 (00:00:02)</b> 122:15 Q. (By Mr. Jerry Kristal) That may not be 122:16 required by OSHA; right?	Guard.49
122:17 - 123:7	<b>Guard, James 09-13-2018 (00:00:42)</b> 122:17 A. I don't know the rules of OSHA's 122:18 requirements on an SDS. 122:19 Q. So as Monsanto's representative on the 122:20 process of developing safety data sheets, you don't 122:21 know what the requirements are or are not? 122:22 A. I know the process of us collecting the 122:23 data, the information that we want to appear on there. 122:24 Whether it's elective data or not, I don't know what 123:1 the exact requirements are of OSHA on placement of 123:2 additional data. 123:3 Q. Do you know enough, as Monsanto's 123:4 representative designated to talk about the process of	Guard.50

Page/Line	Source	ID
123:10 - 123:14	<p>123:5 safety data sheets, that there is elective, as you used  123:6 the term, information that can be put into a safety  123:7 data sheet by a company?</p> <p><b>Guard, James 09-13-2018 (00:00:13)</b></p> <p>123:10 A. Yeah, I don't know.  123:11 Q. (By Mr. Jerry Kristal) Can you think of  123:12 any reason that OSHA would not allow a manufacturer to  123:13 put additional safety information that the manufacturer  123:14 is aware of that's not required by OSHA?</p>	Guard.51
123:16 - 123:17	<p><b>Guard, James 09-13-2018 (00:00:01)</b></p> <p>123:16 Q. (By Mr. Jerry Kristal) Can you think of  123:17 any reason why they wouldn't allow that?</p>	Guard.52
123:21 - 124:1	<p><b>Guard, James 09-13-2018 (00:00:10)</b></p> <p>123:21 A. I don't know.  123:22 Q. (By Mr. Jerry Kristal) You certainly know  123:23 that on the label that goes on the bottle to the  123:24 consumer, Monsanto can put lots of information that's  124:1 not required; correct?</p>	Guard.53
124:3 - 124:12	<p><b>Guard, James 09-13-2018 (00:00:24)</b></p> <p>124:3 A. They can, but it is reviewed by the EPA.  124:4 Q. (By Mr. Jerry Kristal) And you would  124:5 agree that Monsanto uses its labels on the consumer  124:6 products of Roundup to actually market the product;  124:7 correct?  124:8 A. Yes.  124:9 Q. And that information is certainly not  124:10 required, the marketing information in the label;  124:11 right?  124:12 A. That's correct.</p>	Guard.54
124:13 - 124:19	<p><b>Guard, James 09-13-2018 (00:00:20)</b></p> <p>124:13 Q. On the Exhibit 4, the 2010 Super  124:14 Concentrate safety data sheet, it continues under  124:15 potential health effects -- quote -- "skin contact  124:16 short-term may cause skin irritation. Inhalation  124:17 short-term, harmful by inhalation" -- end quote. Do  124:18 you see that?  124:19 A. Yes.</p>	Guard.55
128:12 - 128:18	<p><b>Guard, James 09-13-2018 (00:00:21)</b></p> <p>128:12 Q. And you know there are Roundup lawn and  128:13 garden ads that depict a user wearing short sleeves and</p>	Guard.56 clear

Page/Line	Source	ID
137:17 - 137:23	<p>128:14 shorts applying Roundup; correct?  128:15 A. Yes.  128:16 Q. Not wearing any sort of goggles or face  128:17 protection; correct?  128:18 A. Correct.</p>	Guard.57
138:3 - 138:11	<p><b>Guard, James 09-13-2018 (00:00:20)</b>  137:17 Q. (By Mr. Jerry Kristal) When did you first  137:18 find out that the label for Super Concentrate and the  137:19 label for Weed and Grass Killer Number Three had less  137:20 safety information for the consumer than the safety  137:21 data sheets for those products had for the employees of  137:22 Monsanto and Scott's? When did you first find that  137:23 out?</p>	Guard.58
138:14 - 138:14	<p><b>Guard, James 09-13-2018 (00:00:19)</b>  138:3 A. That's been -- I've known that since prior  138:4 to joining Monsanto, that there's different information  138:5 on the two documents.  138:6 Q. (By Mr. Jerry Kristal) I'm not asking you  138:7 generically. I'm asking you specifically to these two  138:8 products. Did you know before today that there was in  138:9 fact a difference about the safety information Monsanto  138:10 was providing?  138:11 A. I --</p>	Guard.59
138:15 - 138:19	<p><b>Guard, James 09-13-2018 (00:00:03)</b>  138:14 A. Yeah, I have known that for a long time.  <b>Guard, James 09-13-2018 (00:00:14)</b>  138:15 Q. (By Mr. Jerry Kristal) Did you ever speak  138:16 to anybody about, hey, why are we not telling consumers  138:17 buying Super Concentrate, or Roundup Weed and Grass  138:18 Killer Number Three, that they should follow what's on  138:19 the SDS? Did you ever ask anybody?</p>	Guard.60
138:22 - 138:22	<p><b>Guard, James 09-13-2018 (00:00:01)</b>  138:22 A. I don't recall.</p>	Guard.61
139:22 - 140:3	<p><b>Guard, James 09-13-2018 (00:00:22)</b>  139:22 Q. (By Mr. Jerry Kristal) Sure. In any  139:23 means of communications that you can think of, did you  139:24 ever ask anyone at Monsanto, as the Monsanto lawn and  140:1 garden lead for the entire earth, why don't we provide  140:2 the safety information to a consumer purchasing our  140:3 Roundup product that we're providing to our employees?</p>	Guard.62

Page/Line	Source	ID
140:6 - 140:6	<b>Guard, James 09-13-2018 (00:00:03)</b> 140:6 A. Yeah, I don't recall -- I don't recall.	Guard.63
146:20 - 146:24	<b>Guard, James 09-13-2018 (00:00:12)</b> 146:20 Q. (By Mr. Jerry Kristal) And what are the 146:21 procedures on the label with respect to whether a 146:22 consumer who has saturated their clothing should take 146:23 off the contaminated clothing? Where does it say that 146:24 on the label?	Guard.64
147:3 - 147:3	<b>Guard, James 09-13-2018 (00:00:02)</b> 147:3 A. It doesn't say that on the label.	Guard.65
158:10 - 158:16	<b>Guard, James 09-13-2018 (00:00:27)</b> 158:10 strike that. Has any ad for Roundup lawn and garden 158:11 products -- television ad, or radio ad, print ad, a 158:12 brochure -- any kind of communication to the consumer 158:13 designed for marketing purposes by Monsanto -- ever 158:14 told lawn and garden Roundup users to wear chemical 158:15 goggles if there's a potential for contact with their 158:16 eyes?	Guard.66
158:19 - 158:19	<b>Guard, James 09-13-2018 (00:00:01)</b> 158:19 A. Not that I'm aware of.	Guard.67
159:21 - 160:1	<b>Guard, James 09-13-2018 (00:00:13)</b> 159:21 A. The personal protection gloves in this 159:22 case is -- we follow what is on the EPA label. 159:23 Q. (By Mr. Jerry Kristal) It's not the EPA 159:24 label. Monsanto proposes a label. Do you know that 160:1 much?	Guard.68
160:4 - 160:15	<b>Guard, James 09-13-2018 (00:00:28)</b> 160:4 that. As Monsanto's representative about the process 160:5 involved in labeling Roundup lawn and garden products, 160:6 you certainly know that the proposed label comes from 160:7 Monsanto to the EPA; correct? 160:8 A. Part of it does. That's correct. 160:9 Q. Well, when you say part of it, is there 160:10 certain things that have to be on there; correct? 160:11 A. Correct. 160:12 Q. And that is usually less than five percent 160:13 of what's on the label, correct, the required 160:14 information? 160:15 A. I don't know the percentage.	Guard.69
193:7 - 193:8	<b>Guard, James 09-13-2018 (00:00:02)</b>	Guard.70

Page/Line	Source	ID
	193:7 Q. (By Mr. Jerry Kristal) I'm going to mark 193:8 as Exhibit 8 -- this is an e-mail with an attachment.	GJ8.1
193:8 - 193:14	<b>Guard, James 09-13-2018 (00:00:34)</b> 193:8 as Exhibit 8 -- this is an e-mail with an attachment. 193:9 The e-mail is from Martin Voss -- V-O-S-S -- to a 193:10 number of different people. It's dated February 12th, 193:11 2009. This was produced by Monsanto. The Bates number 193:12 is 03400272, and the attachment is a February 12th, 193:13 2009, Roundup FTO growth initiative. And that's a 193:14 PowerPoint. Do you see that? And the	Guard.71 GJ8.1.1
197:24 - 198:5	<b>Guard, James 09-13-2018 (00:00:23)</b> 197:24 Q. And this is -- the e-mail says from Mr. 198:1 Voss, dear all, attached for your reference is the 198:2 Roundup FTO deck. We didn't get to go through today. 198:3 Looking forward to presenting this to you during a 198:4 telco soon. So let's untangle that a little bit. FTO 198:5 means freedom to operate; correct?	Guard.72 GJ8.1.2
198:8 - 198:8	<b>Guard, James 09-13-2018 (00:00:01)</b> 198:8 A. Yes.	Guard.73
208:5 - 208:8	<b>Guard, James 09-13-2018 (00:00:09)</b> 208:5 Q. (By Mr. Jerry Kristal) Would you agree 208:6 that any alleged hazard could affect Monsanto's freedom 208:7 to operate with respect to Roundup if it was an alleged 208:8 hazard of Roundup?	Guard.74
208:11 - 208:11	<b>Guard, James 09-13-2018 (00:00:01)</b> 208:11 A. Yes.	Guard.75
221:16 - 221:17	<b>Guard, James 09-13-2018 (00:00:05)</b> 221:16 Q. (By Mr. Jerry Kristal) And if you turn to 221:17 Roundup on the media screen/consequences page. On that	Guard.76 GJ8.25
221:17 - 222:2	<b>Guard, James 09-13-2018 (00:00:28)</b> 221:17 Roundup on the media screen/consequences page. On that 221:18 PowerPoint it says -- quote -- "for Roundup, 221:19 restrictions could directly impact our business. Uses 221:20 the more at risk: Vineyard/around the 221:21 farm/amenity/L&G" -- end quote. Do you see that? 221:22 A. Yes. 221:23 Q. So before you got there, there was concern 221:24 at Monsanto that restrictions on Roundup could impact 222:1 the lawn and garden business, among other things; 222:2 correct?	Guard.77 GJ8.25.1

Page/Line	Source	ID
222:5 - 222:6	<b>Guard, James 09-13-2018 (00:00:02)</b> 222:5 A. Yes, I would assume so based on that 222:6 sentence.	Guard.78
222:7 - 222:9	<b>Guard, James 09-13-2018 (00:00:06)</b> 222:7 Q. (By Mr. Jerry Kristal) If you turn to the 222:8 page what do we do, stewardship technical teams. Do 222:9 you see that page? The middle bullet point says --	Guard.79 GJ8.30
222:9 - 222:11	<b>Guard, James 09-13-2018 (00:00:10)</b> 222:9 you see that page? The middle bullet point says -- 222:10 quote -- "glyphosate and Roundup tox allegation. 222:11 Defend glyphosate and Roundup against all toxicological	Guard.80 GJ8.30.1
222:12 - 222:12	<b>Guard, James 09-13-2018 (00:00:03)</b> 222:12 allegations, (Belli/Seralini studies) by asking to the	Guard.81
222:12 - 222:12	<b>Guard, James 09-13-2018 (00:00:04)</b> 222:12 allegations, (Belli/Seralini studies) by asking to the	Guard.82
222:13 - 222:16	<b>Guard, James 09-13-2018 (00:00:08)</b> 222:13 officials or independent experts to write reports, 222:14 publications, refuting their conclusions" -- end quote. 222:15 Do you see that? 222:16 A. Yes.	Guard.83
222:17 - 222:19	<b>Guard, James 09-13-2018 (00:00:09)</b> 222:17 Q. Okay. So Monsanto is going to defend 222:18 Roundup and glyphosate against all toxicological 222:19 allegations without even knowing what they are; right?	Guard.84
222:22 - 223:1	<b>Guard, James 09-13-2018 (00:00:08)</b> 222:22 A. I don't know. 222:23 Q. (By Mr. Jerry Kristal) Well, that's what 222:24 it says; right? Defend glyphosate and Roundup against 223:1 all toxicological allegations; right?	Guard.85
223:4 - 223:8	<b>Guard, James 09-13-2018 (00:00:12)</b> 223:4 A. Yes, those are the words on this page. 223:5 Q. (By Mr. Jerry Kristal) And in fact, 223:6 that's what Monsanto did for years and years. If 223:7 something negative came up about Roundup regarding 223:8 toxicology, it would push back against it; correct?	Guard.86
223:11 - 223:15	<b>Guard, James 09-13-2018 (00:00:11)</b> 223:11 A. If there was an allegation against the tox 223:12 profile of glyphosate and Roundup, we would investigate 223:13 it. 223:14 Q. (By Mr. Jerry Kristal) It doesn't say	Guard.87



Page/Line	Source	ID
223:18 - 223:18	223:15 investigate toxicological allegations here, does it? <b>Guard, James 09-13-2018 (00:00:01)</b>	Guard.88
260:1 - 260:2	223:18 A. That word isn't on the page. <b>Guard, James 09-13-2018 (00:00:11)</b>	clear Guard.89
260:5 - 260:6	260:1 Monsanto was spending for many years on average about 260:2 \$10 million a year advertising Roundup? <b>Guard, James 09-13-2018 (00:00:02)</b>	Guard.90
260:7 - 260:10	260:5 A. For Roundup lawn and garden in the United 260:6 States, yes, that's right. <b>Guard, James 09-13-2018 (00:00:07)</b>	Guard.91
262:3 - 262:6	260:7 Q. (By Mr. Jerry Kristal) And you were 260:8 responsible for the budget and the long-range planning, 260:9 so you would know that; right? 260:10 A. That's correct. <b>Guard, James 09-13-2018 (00:00:16)</b>	Guard.92
262:9 - 262:10	262:3 Q. (By Mr. Jerry Kristal) Do you have an 262:4 understanding that a single year's lawn and garden 262:5 Roundup advertising expenditure was greater than all of 262:6 the toxicity testing spending for Roundup? <b>Guard, James 09-13-2018 (00:00:03)</b>	Guard.93
313:21 - 313:22	262:9 A. I don't know the money that was -- how 262:10 much was spent on tox studies. <b>Guard, James 09-13-2018 (00:00:04)</b>	Guard.94
313:22 - 314:3	313:21 Q. (By Mr. Jerry Kristal) And if you turn to 313:22 Page 4 of Exhibit 11, the top says -- quote -- "Roundup <b>Guard, James 09-13-2018 (00:00:20)</b>	GJ11.4 GJ11.4.1 Guard.95
314:21 - 314:23	313:22 Page 4 of Exhibit 11, the top says -- quote -- "Roundup 313:23 dollar sales have increased at a CAGR of 12.6 percent 313:24 from 1996 to 1999 and are projected to increase another 314:1 12.5 percent in the year 2000" -- end quote. Do you 314:2 see that? 314:3 A. Yes. <b>Guard, James 09-13-2018 (00:00:08)</b>	Guard.96
315:11 - 315:12	314:21 Q. (By Mr. Jerry Kristal) And if I'm reading 314:22 this graph correctly, the dollar sales of Roundup in 314:23 1996 were about \$130 million? <b>Guard, James 09-13-2018 (00:00:07)</b>	Guard.97
315:15 - 315:19	315:11 Q. Right. Okay. 1997, sales of Roundup for 315:12 lawn and garden was just shy of \$160 million? <b>Guard, James 09-13-2018 (00:00:11)</b>	Guard.98

Page/Line	Source	ID
316:14 - 316:17	<p>315:15 A. That's what's written on this slide.            315:16 Q. (By Mr. Jerry Kristal) Do you have any            315:17 reason to think this is not accurate?            315:18 A. I don't have any reason to believe it's            315:19 accurate or inaccurate.</p>	Guard.99
316:20 - 316:21	<p>316:14 Q. (By Mr. Jerry Kristal) And this was early            316:15 in the year 2000, but the projection was the Monsanto            316:16 Roundup lawn and garden dollar sales would be maybe            316:17 215 -- I'm sorry -- yeah, \$215 million, approximately?</p>	Guard.100
336:14 - 336:18	<p>316:20 A. That's a reasonable assumption on this --            316:21 what's being depicted on this chart.</p>	clear
336:19 - 336:24	<p>336:14 Q. In the process of Monsanto deciding what            336:15 to put on a label of Roundup, has there ever been            336:16 consideration of telling the consumers why certain            336:17 precautions are being recommended?            336:18 A. I don't know.</p>	Guard.101
337:3 - 337:3	<p>336:19 Q. And let me give you a specific. If            336:20 somebody is -- if there is a recommendation to wash            336:21 hands, has there ever been a discussion as to telling            336:22 people why they should wash their hands would increase            336:23 the likelihood that they would wash their hands --            336:24 anything like that that you're aware of?</p>	Guard.102
401:17 - 401:20	<p>337:3 A. I'm not aware of any.</p>	Guard.103
402:11 - 402:16	<p>401:17 answer to my question is, did anybody ever ask why the            401:18 formulations have not been tested for cancer in order            401:19 for us to determine what health and safety information            401:20 to put on the label?</p>	Guard.104
	<p>402:11 A. I think our scientists have determined and            402:12 the EPA has determined the testing that's necessary to            402:13 determine the safety of a product.            402:14 Q. (By Mr. Jerry Kristal) Well, you're not            402:15 saying that a company is limited to only doing the            402:16 required testing, are you?</p>	Guard.105

Page/Line	Source	ID
402:19 - 402:21	<b>Guard, James 09-14-2018 (00:00:06)</b> 402:19 A. I don't know what a company could -- I 402:20 suppose they could do additional testing if they wanted 402:21 to.	Guard.106
407:11 - 407:14	<b>Guard, James 09-14-2018 (00:00:14)</b> 407:11 Q. Have there been discussions as to what the 407:12 person in the commercial is wearing in terms of a 407:13 message it might be sending to the consumers who were 407:14 seeing the ad about the safety of the product?	Guard.107
407:17 - 407:17	<b>Guard, James 09-14-2018 (00:00:00)</b> 407:17 A. Yes.	Guard.108
407:24 - 408:5	<b>Guard, James 09-14-2018 (00:00:20)</b> 407:24 Q. Okay. So somebody at Monsanto for the ads 408:1 that show for the lawn and garden Roundup people 408:2 wearing shorts and shirt sleeves, somebody made an 408:3 intentional decision that that was okay to show? 408:4 A. That was reviewed and approved by 408:5 Monsanto.	Guard.109
448:18 - 448:18	<b>Guard, James 09-14-2018 (00:00:02)</b> 448:18 Q. I'm going to mark as Exhibit 18	Guard.110
448:18 - 448:19	<b>Guard, James 09-14-2018 (00:00:01)</b> 448:18 Q. 448:19 a PowerPoint	Guard.111 GJ18.1
448:19 - 448:20	<b>Guard, James 09-14-2018 (00:00:11)</b> 448:19 entitled crop protection messaging research, 448:20 presentation of final results, March 23rd, 2015,	Guard.112 GJ18.1.1
448:22 - 449:12	<b>Guard, James 09-14-2018 (00:00:47)</b> 448:22 Now, obviously you 448:23 should flip through this, but while you are doing so, 448:24 it appears to me that you were present during this 449:1 presentation? 449:2 A. I don't recall. 449:3 Q. Well, you skipped over the page when I was 449:4 asking that question. It says agenda, meeting 449:5 objectives, and March 31st agenda, and then it has 449:6 March 31st meeting agenda, and it has an agenda there 449:7 and under lawn and garden it says dash Jim comma Kim. 449:8 Is there a Kim in lawn and garden that you're aware of 449:9 in 2015? 449:10 A. No.	Guard.113 GJ18.2 - GJ18.2.1 GJ18.2.2

Page/Line	Source	ID
449:11	Q. And Jim -- is there any other Jim but you?	
449:12	A. I don't recall any other Jims.	
471:10 - 472:1	<b>Guard, James 09-14-2018 (00:00:48)</b>	<b>Guard.114</b>
471:10	Q. (By Mr. Jerry Kristal) Okay. Next page,	
471:11	Page 12, is entitled residential overview. Do you see	GJ18.12
471:12	that?	
471:13	A. I do.	
471:14	Q. And then on the next page, the results of	GJ18.13
471:15	this messaging research reads -- quote -- "the news is	GJ18.13.1
471:16	good. The safety of residential Roundup is not a	
471:17	top-of-mind concern for today's consumers" -- end	
471:18	quote. Do you see that?	
471:19	A. Yes.	
471:20	Q. So this certainly involves your segment;	
471:21	right? Residential Roundup is your segment; right?	
471:22	A. Yes.	
471:23	Q. And this messaging is telling the folks at	
471:24	Monsanto that for the residential use, safety is not a	
472:1	top-of-the-mind concern; right?	
472:8 - 472:8	<b>Guard, James 09-14-2018 (00:00:01)</b>	<b>Guard.115</b>
472:8	A. That's the words on this page, yes.	
601:5 - 601:13	<b>Guard, James 09-14-2018 (00:00:32)</b>	<b>Guard.116</b>
601:5	Q. (By Mr. Jerry Kristal) Other than putting	clear
601:6	whatever information may or may not have made its way	
601:7	onto web about the International Agency for Research on	
601:8	Cancer determination that glyphosate was a probable	
601:9	carcinogen, no one discussed actually giving that	
601:10	information to a consumer when they purchased the	
601:11	product, like on the label, in a brochure, at a	
601:12	point-of-purchase sign, in a TV ad, in a print ad, in	
601:13	any other means of communication?	
601:16 - 601:18	<b>Guard, James 09-14-2018 (00:00:08)</b>	<b>Guard.117</b>
601:16	A. I don't believe there was any	
601:17	conversations of adding the IARC statement on the	
601:18	packaging.	
602:1 - 602:3	<b>Guard, James 09-14-2018 (00:00:06)</b>	<b>Guard.118</b>
602:1	Q. (By Mr. Jerry Kristal) Did you ever think	
602:2	of that, maybe we should tell people who are buying	
602:3	this product what this agency found?	
602:5 - 602:7	<b>Guard, James 09-14-2018 (00:00:05)</b>	<b>Guard.119</b>

Page/Line	Source	ID
	602:5 A. I don't recall.	
	602:6 Q. (By Mr. Jerry Kristal) You don't recall	
	602:7 ever thinking about that?	
602:10 - 602:10	<b>Guard, James 09-14-2018 (00:00:01)</b>	Guard.120
	602:10 A. That's correct.	
668:5 - 668:8	<b>Guard, James 09-14-2018 (00:00:12)</b>	Guard.121
	668:5 Q. Mr. Guard, thank you very much for a time	
	668:6 you've taken over the past two days. This is Greg	
	668:7 Chernack asking questions on behalf of Monsanto. I	
	668:8 just have a small number of questions for you.	
668:21 - 669:2	<b>Guard, James 09-14-2018 (00:00:13)</b>	Guard.122
	668:21 Q. You had been asked some questions about	
	668:22 the safety data sheet, the material safety data sheet.	
	668:23 Do you recall that?	
	668:24 A. Yes.	
	669:1 Q. Could you look at what's been marked as	
	669:2 Exhibit Number 4? Do you have that in front of you?	5937.1
669:3 - 670:3	<b>Guard, James 09-14-2018 (00:01:25)</b>	Guard.123
	669:3 A. Yes.	
	669:4 Q. If you could just turn to the last page of	5937.9
	669:5 that exhibit, which is a Bates number ending in 29021?	
	669:6 MR. JERRY KRISTAL: Would you kindly just	
	669:7 identify for which product this is the SDS for?	
	669:8 MR. CHERNACK: Certainly. This is the	5937.9.1
	669:9 Roundup Weed and Grass Killer Super Concentrate, with	
	669:10 effective date of December 15th, 2010.	
	669:11 MR. JERRY KRISTAL: Thank you.	
	669:12 Q. (By Mr. Chernack) And do you see there	5937.9
	669:13 are two large boxes at the end of this document?	
	669:14 A. Yes.	
	669:15 Q. If you could just read the first	
	669:16 five-and-a-half lines of the first of those two boxes.	5937.9.2
	669:17 A. This material safety data sheet (MSDS)	
	669:18 serves different purposes than and does not replace or	
	669:19 modify the EPA-approved product labeling attached to	
	669:20 and accompanying the product container.	
	669:21 This MSDS provides important health,	
	669:22 safety, and environmental information for employers,	
	669:23 employees, emergency responders, and others handling	
	669:24 large quantities of the product in the activities	

670:8 - 671:1	<p>670:1 generally other than product use, while the labeling 670:2 provides that information specifically for product use 670:3 in the ordinary course.</p> <p><b>Guard, James 09-14-2018 (00:00:43)</b></p> <p>670:8 Q. Could you explain what lawn and garden 670:9 products are?</p> <p>670:10 A. Those are the products that are marketed 670:11 and labeled for use by homeowners to use around their 670:12 home.</p> <p>670:13 Q. And is there a separate division or group 670:14 within Monsanto that is responsible just for lawn and 670:15 garden products?</p> <p>670:16 A. Yes.</p> <p>670:17 Q. And you're part of that group; is that 670:18 right?</p> <p>670:19 A. That's correct.</p> <p>670:20 Q. Are there other groups in Monsanto 670:21 responsible for other types of Roundup products?</p> <p>670:22 A. Yes.</p> <p>670:23 Q. And what groups are those?</p> <p>670:24 A. We have an ag group, agriculture. And we 671:1 have a group that</p>	Guard.124 clear
671:2 - 672:19	<p><b>Guard, James 09-14-2018 (00:02:07)</b></p> <p>671:2 handled I T &amp; O products.</p> <p>671:3 Q. And starting with the ag or agriculture 671:4 group, could you just describe generally the uses of 671:5 Roundup products for the agricultural group?</p> <p>671:6 A. Sure. Generally that's a product that's 671:7 used by a farmer or farmers' employees, typically 671:8 spread in large quantities because they have a large 671:9 number of acres over the top or around on crops to 671:10 either produce food or clothing.</p> <p>671:11 Q. And you mentioned I T &amp; O. What does I T 671:12 &amp; O stand for?</p> <p>671:13 A. That stands for industrial turf and 671:14 ornamental.</p> <p>671:15 Q. Can you explain a little bit about what 671:16 industrial turf and ornamental uses of Roundup are?</p> <p>671:17 A. That would be the groups of products that 671:18 are labeled and designed for people who are using it in</p>	Guard.125

671:19 golf courses, roadways, people that apply pesticides  
 671:20 for a profession, either the guy that comes to your  
 671:21 home and takes care of your weeds at your yard and is  
 671:22 paid for that.

671:23 Q. So a landscaper?

671:24 A. A landscaper, the professional landscaper.

672:1 Things like that. It would be professional applicators  
 672:2 that are not agriculture and not do-it-yourself  
 672:3 homeowners.

672:4 Q. Now, would your group, the lawn and garden

672:5 group, would you also work in the agriculture or the I

672:6 T & O spaces?

672:7 A. No.

672:8 Q. And how are the agriculture and the I T &

672:9 O products different from the lawn and garden Roundup

672:10 products? They're all Roundup-branded glyphosate

672:11 herbicides, though; correct?

672:12 A. That's correct.

672:13 Q. But how are they different?

672:14 A. They have different formulas, different

672:15 packaging systems, different labels, use instructions.

672:16 You know, an example might be a farmer could receive a

672:17 tanker truck at their farm full of some kind of Roundup

672:18 product whereas a consumer would go to Home Depot or

672:19 Lowe's and buy a one-gallon container.

673:17 - 674:14

**Guard, James 09-14-2018 (00:00:47)**

Guard.126

673:17 Q. Now, we've talked a lot about advertising,

673:18 or a little bit about advertising over the past two

673:19 days. The advertising you work on, is that limited to

673:20 the lawn and garden space?

673:21 A. Yes.

673:22 Q. Is there separate advertising in the

673:23 agricultural space?

673:24 A. I suspect there is. I'm -- again, I'm not

674:1 really involved in that area.

674:2 Q. And do you know if there is separate

674:3 advertising in the I T & O space?

674:4 A. Same answer. I suspect there is, but I

674:5 don't know.

674:6 Q. How about marketing? Is the marketing you

674:7 work on limited to the lawn and garden space?

674:8 A. Yes.

674:9 Q. Do you know if there are separate

674:10 marketing efforts in the agricultural space?

674:11 A. I suspect there is; yes, there is.

674:12 Q. And how about in the I T & O space? Is

674:13 there separate marketing in the I T & O space?

674:14 A. Yes.

675:16 - 676:2

**Guard, James 09-14-2018 (00:00:42)**

Guard.127

675:16 Q. Okay. Turning back to lawn and garden

675:17 specifically. How can users of the Roundup-branded

675:18 lawn and garden products obtain information about those

675:19 products?

675:20 A. They can look at the product label. They

675:21 can go to our Roundup.com website. They can do Google

675:22 searches, and there's other information out on the

675:23 internet. They can read the signs and brochures that

675:24 we may put out there. They can ask store associates,

676:1 their neighbors. A whole host of ways they can get

676:2 information.

676:3 - 677:15

**Guard, James 09-14-2018 (00:01:36)**

Guard.128

676:3 Q. Can we take a few minutes -- if you can

676:4 look at what's been marked as Exhibit 5. It's a copy

676:5 of the Roundup Super Concentrate label. And I believe

676:6 Exhibit 6, if you want, is a blown-up version of that

676:7 same label.

676:8 A. Okay.

676:9 Q. Do you have that in front of you, Mr.

676:10 Guard?

676:11 A. Yes.

676:12 Q. Now, if you look through the label, it

676:13 contains several parts; is that correct?

676:14 A. Yes.

676:15 Q. Do you know why?

676:16 A. It's required by the EPA.

676:17 Q. Now, there's also a precautionary

676:18 statement. I believe you and Mr. Kristal discussed it

676:19 earlier.

676:20 A. Yeah. Yes.

676:21 Q. Is it required to have a precautionary

4634.1.1

4634.3.1

4634.4.2



Page/Line	Source	ID
	676:22 statement in an herbicide label?	
	676:23 A. Yes, it is.	
	676:24 Q. And if you look at the front of the label,	4634.1.1
	677:1 the first page, there's a caution statement there. Do	4634.1.2
	677:2 you see that?	
	677:3 A. Yes.	
	677:4 Q. Now, you testified earlier about what is	
	677:5 called a signal word. Is that correct?	
	677:6 A. Yes.	
	677:7 Q. Is that the signal word?	
	677:8 A. Yes. Caution.	
	677:9 Q. And just to remind us, what are the	
	677:10 different possible signal words?	
	677:11 A. Danger, which is the most toxic. Warning.	
	677:12 And then caution.	
	677:13 Q. So caution is the least toxic of the	
	677:14 signal words; is that --	
	677:15 A. That's correct.	
677:19 - 678:1	<b>Guard, James 09-14-2018 (00:00:14)</b>	<b>Guard.129</b>
	677:19 Q. Okay. Does this entire label have to be	clear
	677:20 approved by the EPA?	
	677:21 A. Yes.	
	677:22 Q. As well as the regulatory bodies in all	
	677:23 the states?	
	677:24 A. Yes. All the states that we want to have	
	678:1 it registered in, yes.	
678:2 - 678:15	<b>Guard, James 09-14-2018 (00:00:30)</b>	<b>Guard.130</b>
	678:2 Q. Now, you've worked at Monsanto since 2009?	
	678:3 A. Yes.	
	678:4 Q. Since you've worked with Monsanto, have	
	678:5 the glyphosate-based herbicides that Monsanto sells in	
	678:6 the lawn and garden space continually been approved for	
	678:7 use by the EPA?	
	678:8 A. Yes.	
	678:9 Q. And has the label that's been used on all	
	678:10 of those products -- has that label -- have those	
	678:11 labels been approved by the EPA?	
	678:12 A. Yes.	
	678:13 Q. And have those labels also been approved	
	678:14 by the appropriate state regulatory bodies?	

Page/Line

Source

ID

678:15 A. Yes.

[REDACTED]

Total Time = 00:37:20

**Documents Shown**

- 4634
- 5937
- GJ11
- GJ18
- GJ2
- GJ203
- GJ4
- GJ8