

EXHIBIT 28

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: ROUNDUP)
PRODUCTS LIABILITY) MDL No. 2741
LITIGATION)
_____) Case No.
THIS DOCUMENT RELATES) 16-md-02741-VC
TO ALL CASES)

THURSDAY, JANUARY 12, 2017
CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

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Videotaped deposition of Donna Farmer, Ph.D., Volume II, held at the offices of HUSCH BLACKWELL, L.L.C., 190 Carondelet Plaza, Suite 600, St. Louis, Missouri, commencing at 9:07 a.m., on the above date, before Carrie A. Campbell, Registered Diplomate Reporter, Certified Realtime Reporter, Illinois, California & Texas Certified Shorthand Reporter, Missouri & Kansas Certified Court Reporter.

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1 countries, correct?

2 A. Correct.

3 Q. Have the surfactants that are
4 used in Monsanto's glyphosate-based
5 herbicides that are sold in the United
6 States, have they been approved by the EPA?

7 A. Yes, they have.

8 Q. What type of safety or
9 toxicological data does EPA require for the
10 approval of surfactants?

11 A. The EPA requires before you put
12 any inert ingredient into your pesticide
13 formulation, they have to evaluate it for its
14 safety. Many years ago, they didn't have a
15 very extensive data set for the surfactants,
16 but today they look for information on acute
17 toxicity. They look for some information on
18 subchronic studies, is there anything on
19 genotoxicity. They look for environmental
20 fate. They look for some ecotox.

21 So they look for a variety of
22 information on the surfactants as well to
23 make their determination of safety.

24 Q. Does Monsanto manufacture the
25 surfactants that are used in Roundup

1 Q. And if you look at page 4,
2 please, which is the executive summary of
3 this document?

4 A. Uh-huh.

5 Q. You see, I guess, the third
6 paragraph starts "the toxicology database"?

7 A. Yes.

8 Q. Can you read that paragraph,
9 please?

10 A. "The toxicology database is
11 adequate to support the use of the alkyl
12 amine polyalkoxylates when used as inert
13 ingredients. The AAPs are not acutely toxic
14 by the oral and dermal routes of exposure or
15 via inhalation under normal use conditions.
16 Concentrated materials are generally
17 corrosive eye and skin irritants and may be
18 dermal sensitizers. There is no evidence
19 that the AAPs are neurotoxic, mutagenic or
20 clastogenic."

21 Q. And we talked yesterday about
22 what clastogenic means, but can you remind us
23 what clastogenic means?

24 A. Again, it would be damage to
25 the structural genetic material.

1 Q. Okay. Do you agree with EPA
2 that alkyl amine polyalkoxylates are not
3 neurotoxic, mutagenic or clastogenic?

4 A. Yes.

5 Q. Did EPA reach a conclusion
6 regarding the overall carcinogenic potential
7 of these AAPs as they call them?

8 A. Yes, they did.

9 Q. Let's look on page 15, and
10 there's a section called 4.4, Classification
11 of Carcinogenic Potential.

12 Do you see that?

13 A. Yes, I do.

14 Q. Can you please read that first
15 sentence for the record?

16 A. "There is no evidence that the
17 AAPs are carcinogenic."

18 Q. Do you agree with the EPA's
19 conclusion that AAPs -- that there's no
20 evidence that AAPs are carcinogenic?

21 A. Yes.

22 MR. JOHNSTON: Why don't we
23 take a break for a few minutes.

24 VIDEOGRAPHER: We're going off
25 the record. The time is 10:16.

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CERTIFICATE

I, CARRIE A. CAMPBELL, Registered Diplomate Reporter, Certified Realtime Reporter and Certified Shorthand Reporter, do hereby certify that prior to the commencement of the examination, Donna Farmer, Ph.D. was duly sworn by me to testify to the truth, the whole truth and nothing but the truth.

I DO FURTHER CERTIFY that the foregoing is a verbatim transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth, to the best of my ability.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

CARRIE A. CAMPBELL,
NCRA Registered Diplomate Reporter
Certified Realtime Reporter
California Certified Shorthand
Reporter #13921
Missouri Certified Court Reporter #859
Illinois Certified Shorthand Reporter
#084-004229
Texas Certified Shorthand Reporter #9328
Kansas Certified Court Reporter #1715
Notary Public
Dated: January 16, 2017