The first page of this Exhibit E is filed under Seal pursuant to

PTO 15, ECF Docket No. 186

Glyphosate

Goal: Persuade EPA to follow Europe and Canada in defending the science behind a determination that glyphosate is not carcinogenic and initiate the glyphosate preliminary risk assessment public comment without an SAP. At a minimum, persuade EPA not to announce or otherwise make final decisions regarding an SAP until after JMPR in May 2016.

Positive

1. We know, *but cannot say*, that EPA's Office of Pesticide Program scientists strongly feel that glyphosate does not cause cancer and have defended their written determination internally for months.
2. In November 2015, the European Food Safety Authority (EFSA) concluded that "glyphosate is unlikely to pose a carcinogenic hazard to humans and the evidence does not support classification with regard to its carcinogenic potential. . . ."
3. In April, 2015, the Canadian Pest Management Regulatory Authority (PMRA) stated, "[T]he overall weight of evidence indicates that glyphosate is unlikely to pose a human cancer risk."
4. In a March 23, 2015 response to the IARC classification, the Germany Federal Institute for Risk Assessment (BfR) stated, "As the 'Rapporteur Member State' for the active substance glyphosate within the framework of EU re-evaluation, the Federal Institute for Risk Assessment (BfR) was responsible for the human health risk assessment and has assessed glyphosate as non-carcinogenic. This was supported by competent national, European and other international institutions for health assessment including the WHO/FAO Joint Meeting on Pesticide Residues (JMPR)."
5. In 2014, EPA reviewed more than 55 epidemiological studies conducted on the possible cancer and non-cancer effects of glyphosate and concluded: "this body of research does not provide evidence to show that glyphosate causes cancer, and it does not warrant any change in EPA's cancer classification for glyphosate. This is the same conclusion reached in 2004 by the United Nations' Food and Agriculture Organization and affirmed this year by Germany's pesticide regulatory officials."
6. Glyphosate is of critical importance to Ag productivity in the US and sound science and unequivocal leadership with regards to that science, is essential to one of our country's most important export sectors. USDA can likely be aligned on these talking points.

Negative

1. There is enormous NGO pressure for the USG, particularly EPA, to question and outright restrict glyphosate's use based on concerns such as IARC, Monarchs, alleged breast milk contamination and weed resistance, etc.
2. EPA political leadership is sensitive to NGO concerns, particularly since they have relationships with them and they represent this administration's political base.
3. EPA has stated that its current plan is to conduct an SAP, likely by the end of the CY. The scope is more likely than not to be more comprehensive than just IARC (e.g. could be about a broad range of public concerns. SAPs add significant delay, create legal vulnerabilities and are a flawed process that is probable to result in a panel and determinations that are scientifically questionable and will only result in greater uncertainty. Under this plan, EPA will not release the PRA until after this SAP process is over (~6-12 mos after the date of the panel discussion).
4. EPA's Office of Research and Development scientists believe that IARC's trend analysis triggers EPA guidance that calls for a change in their carcinogenic classification of the compound, which currently resides at a category of least concern

5. CDC's Agency for Toxic Substances and Disease Registry announced one year ago that it would also assess glyphosate's toxicity and cancer potential in parallel to EPA. They have agreed, for now, to take direction from EPA.
6. FDA has announced it will now engage in glyphosate residue monitoring. EPA is likely to want to wait for these results to come in before moving forward

Additional Background

- We have reliable intel that the Japanese regulators will be making their public determination that glyphosate is not a carcinogen next month (note that this cannot be specifically shared with EPA)
- WHO is upset with IARC and has convened an extraordinary meeting of their authoritative scientific body (JMPR) to review IARC results in May 2016.
- This is the first public comment period and will be a minimum of 60 days. It will contemplate all uses of the molecule and potential issues therein. It will be followed some months later by a final 60 day public comment period which will then potentially lead to label changes.
- EPA is under a recent court ordered obligation to do an endangered species analysis for glyphosate by 2022