

## FEDERAL JUDGE ORDERS FIRST-EVER MORATORIUM ON SALE OF GENETICALLY-ALTERED SEED

### *USDA approval of genetically engineered alfalfa is vacated, seed sales halted*

FOR IMMEDIATE RELEASE: Tuesday, March 12, 2007

CONTACT: Will Rostov, Center for Food Safety, 415-826-2770 (415) 307-2154 (cell)  
John Bianchi, Goodman Media, 212-576-2700

**San Francisco, CA**, - A Federal judge ruled today that the U.S. Department of Agriculture's (USDA's) 2005 approval of genetically engineered (GE) alfalfa is vacated and ordered an immediate halt to sales of the GE seed. The ruling follows a hearing last week in the case brought by the Center for Food Safety (CFS) against the U.S. Department of Agriculture (USDA) for approving GE alfalfa without conducting the required Environmental Impact Statement.

"We are pleased that the judge called for halt to sales of this potentially damaging crop," said Will Rostov, a Senior Attorney for CFS. "Roundup Ready alfalfa poses threats to farmers, to our export markets, and to the environment. We expect the USDA to abide by the law and give these harmful effects of the crop full consideration."

The preliminary injunction ordered by Judge Charles Breyer in the Federal Northern District of California today follows his ruling last month finding that USDA violated national environmental laws by approving GE alfalfa without a full Environmental Impact Statement. In addition to barring seed sales, today's injunction calls for a March 30 halt to planting of GE alfalfa by farmers who have already purchased their seed.

Monsanto and Forage Genetics, the developers of the GE alfalfa seed, argued against the injunction. But while Monsanto and its allies claimed that delaying the sale or planting of their GE seed would harm farmers, the judge found otherwise. "Disappointment in the delay to their switch to Roundup Ready alfalfa is not an interest which outweighs the potential environmental harm..." posed by the GE crop, he wrote.

Today's decision is consistent with Judge Breyer's ruling of February 13 th, in which Judge Breyer found that the USDA failed to address concerns that Roundup Ready alfalfa will contaminate natural and organic alfalfa. The ruling noted that "...For those farmers who choose to grow non-genetically engineered alfalfa, the possibility that their crops will be infected with the engineered gene is tantamount to the elimination of all alfalfa; they cannot grow their chosen crop." Commenting on the agency's refusal to assess this risk and others, the judge noted that "Nothing in NEPA, the relevant regulations, or the caselaw support such a cavalier response."

Judge Breyer will hold a hearing and is expected to decide whether to impose a permanent injunction in late April.

The Center for Food Safety represented itself and the following co-plaintiffs in the suit: Western Organization of Resource Councils, National Family Farm Coalition, Sierra Club, Beyond Pesticides, Cornucopia Institute, Dakota Resource Council, Trask Family Seeds, and Geertson Seed Farms. For more information, please visit [www.centerforfoodsafety.org](http://www.centerforfoodsafety.org).