

# LAWSUIT CALLS GENETICALLY ENGINEERED ALFALFA A RISK TO FARMERS AND THE ENVIRONMENT

## *Groups Challenge USDA Approval of First Perennial Gene Altered Crop*

**February 16, 2006**

CONTACT: Will Rostov, Center for Food Safety, (415) 826-2770, Charles Margulis, CFS, (510) 697-0615, Kevin Dowling, WORC, 406-252-9672, (Note: Individual farmers and representatives of organizations who are plaintiffs in the lawsuit are available for comment).

**San Francisco, Calif.** – Shortly after a government report cited problems with the U.S. Department of Agriculture’s (USDA) oversight of genetically engineered (GE) crops, a coalition of farmers, farm groups, consumers, and environmentalists filed a lawsuit today calling the department’s approval of GE alfalfa a threat to farmers’ livelihoods and a risk to the environment.

The suit contends that the USDA improperly allowed the commercial release of GE alfalfa, the first commercial release of a GE perennial crop, and failed to analyze the public health, environmental, and economic consequences of the release.

The suit also asserts that the GE alfalfa will likely contaminate natural alfalfa and ultimately prevent farmers from producing natural, non-GE alfalfa for markets that demand it.

“I’m outraged that a genetically engineered alfalfa will contaminate the South Dakota alfalfa seed that has been developed over generations,” said Pat Trask, an alfalfa seed farmer from South Dakota and plaintiff in the suit. “Bees pollinate alfalfa, and we know that bees can forage for miles. The introduction of genetically engineered alfalfa practically guarantees that there will be no genetically engineered-free seed in a matter of a few years.”

The suit cites the concerns of farmers with export markets. Buyers in Japan and South Korea, America’s major alfalfa export customers, have strongly stated that concerns about genetic contamination will lead them to avoid U.S. alfalfa if a GE variety is grown in this country. U.S. alfalfa exports total nearly \$480 million per year, with about 75% of exports going to Japan.

In addition to genetic contamination, the lawsuit says GE alfalfa poses unique risks to the environment. The GE alfalfa is designed to tolerate high doses of glyphosate, the active ingredient in Monsanto’s Roundup herbicide. But 83% of U.S. alfalfa is grown without any herbicides, and many experts note that GE alfalfa could lead to massive increases in herbicide use on alfalfa and more chemical pollution in the environment. A study of GE soy has already shown that farmers growing the GE variety use two to five times more herbicides than farmers who plant natural soy varieties.

“Gene altered alfalfa poses special environmental, agricultural, and economic risks for many different locations in the U.S.,” said Will Rostov, Senior Attorney for the Center for Food Safety

(CFS), which filed the suit. “Given the potential significant and large-scale environmental effects, USDA must retract its approval and conduct a thorough Environmental Impact Statement.”

Joining CFS in the suit are Sierra Club, Western Organization of Resource Councils, National Family Farm Coalition, Beyond Pesticides, Cornucopia Institute, Dakota Resource Council, and two individual alfalfa seed producers.

Recent scientific findings link the advent of GE crops to weeds developing resistance to glyphosate, the active ingredient in the herbicide Roundup. In turn, this weed resistance has led to increased herbicide use and forced farmers to turn to more toxic herbicides. According to the suit, USDA failed to address the potential impacts of the increased use of Roundup on alfalfa and failed to address issues relating to cross-pollination of wild relatives of alfalfa.

In a report critical of USDA’s oversight of GE crops released in late December, the USDA’s Inspector General said, “Current [USDA] regulations, policies and procedures do not go far enough to ensure the safe introduction of agricultural biotechnology.”

The suit says organic farmers could lose their livelihoods when organic alfalfa is contaminated by the GE variety. In its assessment of GE alfalfa, USDA acknowledges that bees can pollinate alfalfa two miles away, but states that organic growers should manage the problem with buffer zones. The USDA failed to analyze the significant financial loss that its decision will cause seed and organic dairy and beef farmers.

“USDA is forcing organic farmers to subsidize the biotech industry's drive for profits," said Jim Munsch, an organically certified beef producer from Southwest Wisconsin. “By USDA’s determination all alfalfa seed available on the market will become contaminated with GE alfalfa. Without alfalfa our costs go up.”

Alfalfa is grown on over 21 million acres, and is worth \$8 billion per year (not including the value of final products, such as dairy products), making it the country’s third most valuable and fourth most widely grown crop. Alfalfa is primarily used in feed for dairy cows and beef cattle, and it also greatly contributes to pork, lamb, sheep, and honey production. Consumers also eat alfalfa as sprouts in salads and other foods.

The lawsuit filed in federal court in the Northern District of California calls on the court to rescind the deregulated status of Monsanto’s Roundup Ready alfalfa, calling USDA’s decision to approve the crop arbitrary and capricious. The lawsuit also challenges USDA for its inadequate environmental review of the crop and calls for a full environmental impact statement. The complaint can be found at [www.centerforfoodsafety.org/pubs/ComplaintAlfalfa2.15.2006.pdf](http://www.centerforfoodsafety.org/pubs/ComplaintAlfalfa2.15.2006.pdf).