

Monsanto loses another appeal in alfalfa case

Billings, Mont. – A U.S. appeals court refused Wednesday to lift the ban on planting genetically modified (GM) alfalfa until the federal government finishes its study on how the product could affect organic and conventional crops, the environment, and economic well-being of farmers.

The Ninth Circuit Court of Appeals declined a request by the Monsanto Company to rehear the appeal. The decision affirmed an earlier court decision, which found that planting of GM alfalfa could result in potentially irreversible harm to other varieties of crops, the environment, and farmers.

“The court decision is good news for farmers,” said Todd Leake, a farmer and spokesperson for WORC, the Western Organization of Resource Councils, from Emerado, N.D. “The decision reaffirms that farmers should have a voice in decisions affecting their livelihoods.”

Leake is concerned Monsanto is trying to take control over the alfalfa seed market like the company has done with corn and soybeans.

“Farmers and export markets are long established,” he said. “Monsanto and other companies are basically upstarts. They’re trying to patent all the crops they can.”

Alfalfa is the fourth largest crop by acreage in the country.

The suit was originally brought against the United States Department of Agriculture (USDA). Monsanto and Forage Genetic intervened in the suit. The Ninth Circuit affirmed the lower court’s ruling, but the intervenors appealed.

The decision upholds District Court Judge Charles Breyer’s earlier ruling of May 2007. Breyer found that USDA had not addressed concerns that Roundup Ready alfalfa would contaminate conventional and organic alfalfa. The Ninth Circuit decision affirmed that USDA violated national environmental laws by approving GM alfalfa without a full Environmental Impact Statement.

The Center for Food Safety initiated the legal action in February 2006, representing itself and the following co-plaintiffs in the suit: WORC, Dakota Resource Council, National Family Farm Coalition, Sierra Club, Beyond Pesticides, Cornucopia Institute, Trask Family Seeds, and Geertson Seed Farms.

WORC is a network representing farmers, ranchers, and consumers in Colorado, Idaho, Montana, North Dakota, Oregon, South Dakota, and Wyoming.