Western Organizing Review

Volume VI, No. 3 August 2000

Citizens Dampen Coalbed Gas Boom

Protecting agriculture and fisheries from drilling

A widely anticipated boom in coal bed methane gas development may be on hold in Montana, and the Montana Dakota Utilities subsidiary already operating most of the coal bed methane wells in southeastern Montana has been charged with illegally polluting the Tongue River and one of its tributaries.

The Northern Plains Resource Council (NPRC) negotiated a lawsuit settlement with the Montana Board of Oil and Gas in July that achieves the group's goal of halting large-scale coalbed methane development until a comprehensive, regional environmental study is completed.

Despite the settlement, NPRC had to file suit against Redstone Gas Partners, a subsidiary of Montana Dakota Utilities, for ongoing groundwater discharges. The group's members in the Tongue River area fear high salinity and other pollutants in the groundwater could threaten the Tongue River and irrigated agricultural lands that depend on the river.

"We have to send this new industry the strongest message possible that we have zero tolerance for breaking the laws that protect our water," said Tongue River rancher Mark Fix, Chair of NPRC's Coalbed Methane Committee. "We cannot sacrifice agriculture to promote this industry. If we let the coal bed methane boom get out of control, it will devastate agriculture, wildlife and fisheries throughout this region."

NPRC Photo

A pipe discharges waste water from a Southeastern Montana coalbed methane drilling operation into the Tongue River. The discharge is one of at least nine from operations of Redstone Gas Partners, a subsidiary of Montana Dakota Utilities. Only seven are allowed by the company's water quality permits.

*See **Coalbed Methane**, page 11*

Go Slow on Genetically Engineered Food

North Dakota farmers, consumers join day of national warning

Farmers, business owners, scientists and consumers belonging to the Dakota Resource Council (DRC) gathered at the North Dakota State Mill in July to discuss their concerns about genetically engineered products. They announced DRC's call for a moratorium on the release of new genetically engineered crops and for labelling of all foods with genetically engineered ingredients.

As many consumers around the world reject genetically engineered products, the threat of loss of market because of contamination is real for conventional farmers and organic farmers alike. Food companies such as McDonalds, Gerber's and Frito Lay have already implemented non-genetically engineered food policies for some of their food ingredients.

DRC joined groups around the country demanding that Campbell's and Kellogg renounce the use of genetically engineered ingredients in their products. "People have a right to know what they're putting in their bodies," said DRC member and Valley City organic farmer Don Vig. "People all over the world are rejecting GMO's in their food."

North Dakota Governor Ed Schaefer's office responded by defending North Dakota State University research to create wheat genetically modified to tolerate Roundup herbicide. "Our competitors are aggressively pursuing biotech research," said the governor's agricultural policy director Clare Carlson. "We must keep pace if we are to maintain our competitive position in the world wheat market and all markets."

But Dakota Resource Council members said biotech wheat research would have the opposite affect on markets for North Dakota crops. "Wheat farmers can not tolerate further market loss by introducing genetically engineered wheat into the market place," said Todd Leake, a conventional grain farmer from Emerado, North Dakota. "If we do, we will shoot ourselves in the foot."

*More on **GMOs**, page 8*

WESTERN ORGANIZING REVIEW

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The *Western Organizing Review* is published quarterly by the Western Organization of Resource Councils Education Project, a private, nonprofit corporation which supports the charitable and educational activities of the Western Organization of Resource Councils (WORC).

WORC is an association of membership-based community organizations: Dakota Rural Action, the Dakota Resource Council, the Northern Plains Resource Council, the Powder River Basin Resource Council, the Western Colorado Congress and the Idaho Rural Council.

To subscribe, send a check for $20.00, payable to "WORC," to *Western Organizing Review*, 2401 Montana Avenue, #301, Billings, Montana, 59101. Send comments, correction or submissions to the editor at WORC's Billings office.

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Smoke, Truth and Power

Richard Parks

A pall of smoke, in several senses, hangs over us. As I write this the visibility is less than a mile because of smoke from forest fires. The GOP convention has concluded and the Democratic Party's convention is in full swing, each putting out more huge columns of smoke. Much of the smoke on all sides in the political system is paid for by the transnational corporate monopolists.

WORC speaks truth to the wielders of power. Some of those truths are found in the nexus of our concerns with the growing food monopolies. For years we have fought to make the packer monopoly bid openly to establish a price for producers' cattle. During this campaign it has become increasingly clear that the public, not just the producer, is at risk.

The public pays several prices. One is the environmental price following the systematic dismantling or disregard of water quality and other regulatory laws. Another is levied in terms of worker health and safety. Still another derives from depressed wages, farm income and community stability. We can now see that the most direct cost to the public will be suffered in declining food safety.

The sheer economic size of today's mega-corporations, exceeding that of most of the world's governments, gives them immense power. This power is harnessed to serve the bottom-line interests of the companies.

The sheer economic size of today's mega-corporations, exceeding that of most of the world's governments, gives them immense power. This power is harnessed to serve the bottom-line interests of the companies. In some respects this limits their vision of and ability to react to challenges based on other motives.

This is a major reason why they buy influence in the political system — a system which is, ideally, intended to serve broad public interests, and may react to popular pressure. Moreover, that system should react on the basis of a moral ideology rather than mere profit.

Facts are stubborn things. We in WORC are equally stubborn about keeping the facts of our issues in front of the public and decision makers. Being right about the facts, however, is not enough. We know that organizing people to directly confront and use power is necessary if we are to win.

In some respects, our work on food safety is a test case for our expanding use of technology in organizing and the application of power.

This is an outgrowth of the technology summit held early this year in Billings. We brought together two dozen of our staff and leaders to puzzle through a number of questions.

Just what did we mean by "technology" in reference to our work and organizations? What technology did WORC and its member organizations have? How were we using that to further our work?

What were the challenges to more effective use of technology? Above all, what principles did we mean to govern our use of technology so that it furthered our work for all our members?

It seems to me that one response to the economic power of a transnational mega-corporation is to confront it in an organized way on a global scale. The protest against the World Trade Organization in Seattle is an example of mass organization that couldn't have happened without the skillful use of technology.

WORC Regional Director Pat Sweeney and I followed up the technology summit by attending a national level meeting of organizations wrestling with the same issues. We must continue to organize people and facts to build the future in which we wish to live.

Richard Parks is the Chair of the Western Organization of Resource Councils. Richard operates a fly-fishing store and outfitting business in Gardiner, Montana, just outside of Yellowstone Park. He is a past Chair of the Northern Plains Resource Council.

Bits and Pieces

A 13-member steering committee has chosen a name for the new group it is launching in the **Western Organization of Resource Council**'s Eastern Oregon organizing project. The steering committee also filed articles of incorporation for the group, **Oregon Rural Action**.

WORC's goal is to create a long-term, multi-issue, multi-racial community-based group that promotes stewardship of the region's wildlife, land, air, and water resources, sustainability for the region's agricultural and rural economy, and justice and fairness for citizens of the region.

Members of the **Powder River Basin Resource Council** and citizens who care about Wyoming and the West mourned the death of **Lynn Dickey** in a car accident on May 28th. Lynn joined PRBRC's staff in 1974 and served as staff director. Since leaving the staff in 1977, she had been a leader in PRBRC and in Wyoming. Her spirit and integrity will be missed.

PRBRC and two of its affiliates, the **Concerned Citizens of Platte County** and the **Laramie County Resource Council**, have petitioned the Wyoming Environmental Quality Council to tighten odor standards for large corporate factory farms (1,000 animals or more). Currently, odor is measured by a scentometer that dilutes the smell seven times. The proposed rule would allow two dilutions, making odor problems easier to detect and enforce.

Green Party Presidential candidate and consumer advocate **Ralph Nader** is the keynote speaker at the 20th Annual Meeting of the **Western Colorado Congress** on September 9, 2000, in Montrose, Colorado.

A Montana ranching family is appealing a $12,000 fine by the **United States Department of Agriculture** for boycotting the Beef Checkoff. In April, USDA Administrative Law Judge Dorothea Baker fined **Jeanne and Steve Charter** for refusing to pay $250 in mandatory one-dollar-per-head fees on two cattle sales. The Charters ranch north of Billings, Montana, and are members of the **Northern Plains Resource Council**.

"We are appealing with the intent of getting this mandatory tax struck down as unconstitutional," said Jeanne Charter. "What was supposed to be a self-help program has been perverted by USDA into a program of self-destruction for independent producers like us. We intend to topple it if we can."

A legal defense fund has raised about half of the Charter's $15,000 legal expenses to date. Contributions can be sent to NPRC, 2401 Montana Avenue, #200, Billings, MT 59101. Donors should specify that the money is earmarked for the **Beef Checkoff Legal Defense Fund**.

Over 150 people attended the **North Dakota Sustainable Energy Economic Development Coalition**'s (SEED) first annual wind energy conference on June 23, 2000 in Fargo, North Dakota. Participants included landowners, electric utilities and rural electric cooperative representatives, 25 state legislators, and wind industry representatives. The **Dakota Resource Council** is a founding member of SEED.

Dakota Rural Action has published a booklet on the business and networking options under Amendment E, South Dakota's limitation on non-family corporate farms. *Crop and Livestock Production Under Amendment E* is free to DRA members and costs $5 for nonmembers. The booklet is available by calling DRA, 605-697-5204.

The **Voice of America** (VOA) will use radio feature stories on western topics produced by **High Plains News**. "High Plains News covers an area of the country that our listeners don't hear a lot about," said Faith Lapidus, coordinator of the Americana series, *VOA News Now*. "The sorts of stories High Plains News does make the American West come to life."

VOA will use the stories primarily in *VOA News Now*, its English language broadcast beamed to foreign countries. *VOA News Now* broadcasts are estimated to reach the largest audience of any VOA language service — a regular listenership of 19 million, not including its network of affiliate stations.

High Plains News will provide four to eight stories for VOA over the next 12 months. *VOA News Now* is on the air 24 hours a day, seven days a week. It features world, regional and U.S. news, and sports, science, business, and entertainment news. It is tailored to provide news and information to each region of the world during prime listening hours.

"This has given me so much more energy to take back to my job, and it's given me hope, too," said a participant at WORC's recent **Principles of Community Organizing** workshop. Twenty-six grassroots leaders and staff participated in this training in Billings, Montana, July 15-18. The workshop covered basic organizing skills, including member recruitment, campaign development, fund raising, and leadership development.

Associate Producer **Eric Whitney** has left **High Plains News** and moved to Santa Fe, New Mexico. "We'll miss Eric's knowledge of Western issues and his ability to tell a good story," said **Sam Hendren**, Executive Producer.

— Kevin Dowling

State Food Safety Rules Attacked In Congress

Bill would limit state power to set standards, labeling requirements

Does your state have standards for irradiated food? Does it restrict the use of chemicals that cause cancer or birth defects in food products? Does it require labeling of foods that contain genetically modified organisms?

Many experts think that our national food safety standards fail to protect consumers. But a bill moving through Congress would severely restrict the ability of state governments to set their own standards and labeling requirements.

Under the National Uniformity for Food Act of 2000, S. 1155, states would be allowed to set their own food safety standards for what products and ingredients can and cannot be used only if there is no federal standard in effect. States would not be allowed to institute any of their own requirements for food labeling. States with existing food safety and food labeling standards could petition the federal Food and Drug Administration for permission to continue to implement those laws if there is undue burden on interstate commerce, but no new state standards would be allowed.

Under the act:

- States could not ban irradiated food products, because federal standards allow irradiation.
- States could not regulate toxic ingredients, such as pesticide residues or chemicals that cause cancer or birth defects.
- States could not restrict adulterated foods. State laws in Illinois and Pennsylvania that regulate processing methods that increase the risk of contaminating eggs would be disallowed.
- States could not limit drug use in livestock. Some public health authorities advocate a ban on use of antibiotics in livestock feed that are also used to treat humans, because the use of such antibiotics in livestock contributes to the rise of antibiotic-resistant bacteria.
- States could not regulate dietary supplements, even though Congress has virtually eliminated the FDA's authority to regulate the supplement industry and require safety testing for dietary supplements.
- States could not ban food containers that include dangerous substances, such as certain plastics, that are unsafe when they come into contact with food.
- States could not adopt any labeling requirements, such as requiring the labeling of food containing genetically modified organisms (GMOs), irradiated foods, foods containing chemicals that cause cancer or birth defects, warnings of dangerous interactions between drugs, etc.

States could still require labeling of foods by their geographic origin (such as their country of origin).

What you can do

• Call your state's Congressional delegation and ask them to oppose the National Uniformity for Food Act of 2000, S. 1155 and H.R. 2129. If they have cosponsored one of the bills, ask them to remove their name. You can reach them through the U.S. Capitol Switchboard at 202-224-3121.

• Call Senator Roberts, Senate Majority Leader Trent Lott (R-Mississippi) and Senate Minority Leader Tom Daschle (D-South Dakota), tell them that you oppose the National Uniformity for Food Act, and insist on a public debate and Congressional hearings before the bill moves forward.

• Call the FDA and ask them to oppose the National Uniformity for Food Act of 2000, S. 1155 and H.R. 2129. The FDA's toll-free number is 1-888-INFO-FDA (1-888-463-6332). Or you can send comments via the FDA's website at ***<www.fda.gov/comments/progform.html>***.

Incentive for federal action would be weakened

A coalition of industry groups led by the Grocery Manufacturers of America (GMA) has been pushing for passage of the legislation for at least a decade. On June 29, 2000, S. 1155 was passed by the Senate Agriculture Committee on a voice vote, with no hearing.

Susan Stout, GMA's Senior Director of Federal Affairs, told the *Washington Post* that having "fifty standards for fifty states" puts a heavy burden on food companies. "It's not a question of trying to market things that are not safe, but our member would like to be able to ship everything across state borders," said Stout. "In today's world of national manufacturing and distribution, it makes no sense to have different labels in different states on the same products."

A July, 2000 General Accounting Office report, however, found that consumers may be buying unsafe products because there are no clearly defined federal safety standards for some products and insufficient federal requirements for safety information on labels. When states with large con-

*See **Food Safety**, page 6*

Senate Threatens Mining Reform Again

Bonding to protect taxpayers against cleanup costs in jeopardy

Since 1872, hard rock miners have had special rights to public lands, beyond those granted to other natural resource industries. They don't have to pay royalties for extracting billions of dollars in precious metals. They can purchase land for just $2.50 or $5.00 an acre, a practice called patenting. Their proposed permits cannot be denied.

What's more, environmental standards and bonding requirements are lax. All too often, mining companies pollute sites and walk away, leaving bonds that don't cover reclamation costs and leaving taxpayers to pick up the tab.

Cleaning up abandoned sites will cost taxpayers $32 billion to $72 billion, and this number is likely to continue to grow — bonds at operating mines are still too low, to the tune of well over $1 billion in potential taxpayer liability, according to a recent study.

Efforts to reform the antiquated 1872 Mining Law have been stymied by the mining industry's cronies in Congress. Federal agencies are not using their full (albeit limited) authority to protect the environment, taxpayers and public lands. And new, stronger regulations being proposed by the Clinton Administration to correct this inadequacy are under attack in the Congress.

What you can do

Before Congress adjourns on October 6, the 3809 rider will either be passed and the Clinton Administration prevented from finalizing these sections of the new regulations, or it will be dropped from the bill and the new regulations will begin to close some of the loopholes the hard rock mining industry has been exploiting at the expense of taxpayers and the environment.

Call President Clinton and ask him to veto the 3809 rider, if it is passed by the Congress. The White House public comment line is 202-456-1111.

Western Senators maneuver to weaken rules

The regulations are called the "3809" rules, after the section of the federal code in which they're located. Although new 3809 regulations cannot implement a royalty to fund abandoned mine land clean up or put an end to the patenting system, they can authorize land managers to deny permits for proposed mines that would cause substantial harm to public lands, set enforceable environmental standards for mines, and strengthen bonding requirements to protect taxpayers.

Senators Craig (R-Idaho), Murkowski (R-Alaska) and Reid (D-Nevada) want to attach a rider to the bill to fund the Department of Agriculture that would limit the scope of the 3809 regulations and block the strongest new protections. (A rider is an amendment on an unrelated, must-pass bill, such as annual bills funding government agencies.)

In 1998, these Senators delayed the new regulations while the National Academy of Sciences (NAS) studied the adequacy of existing regulations. The latest rider would limit the scope of the rulemaking to seven narrow recommendations made by the NAS review panel, which was stacked with mining executives, industry consultants and state regulators.

While the NAS recommendations would result in incremental improvements, they do not address the major gaps in the current regulations that are allowing the most harm to taxpayers and the environment: discretion to deny permits, new environmental standards, and stronger bonding requirements.

— Sara Kendall

Food Safety, *from page 5*

sumer markets step in to fill these loopholes, they create pressure on the industry to make nationwide changes and on the FDA to tighten national standards. If S. 1155 passes, states will no longer be able to protect their own consumers or act as a stimulus for change at the national level.

Senator Pat Roberts (R-Kansas), the sponsor of S. 1155, will try to attach it to a bill that Congress must pass before it adjourns, such as one of the 13 bills that will fund the federal government in fiscal year 2001. If Roberts is successful, S. 1155 could pass into law without debate, roll call votes or input from the House of Representatives or the Clinton Administration.

S. 1155 has 34 cosponsors, including Senators Allard (R-Colorado), Crapo (R-Idaho), Baucus (D-Montana), Burns (R-Montana), Conrad (D-North Dakota), Daschle (D-South Dakota), Johnson (D-South Dakota) and Enzi (R-Wyoming). The House bill, H.R. 2129, sponsored by Representative Richard Burr (R-North Carolina), has 112 cosponsors, including Representative Rick Hill (R-Montana). To see a complete list of cosponsors, go to ***<thomas.loc.gov>***, and search *Bill Summary and Status* for S. 1155 and H.R. 2129.

— Sara Kendall

Organize.com

Blending new technology with old-fashioned organizing

The Western Organization of Resource Councils (WORC) and its six member organizations have reviewed their use of technology and have begun to explore how to apply technology to win organizing campaigns. As part of the process, WORC developed a Strategic Technology Plan to guide its use of technology, outlining specific steps for WORC, High Plains News, and each member group.

The purposes of the Strategic Technology Plan are to strengthen WORC's grassroots organizing work by recommending ways that organizers and support staff can use electronic communication tools more effectively, and to strengthen WORC's member groups by providing specific recommendations and a budget for creating and maintaining up-to-date technology infrastructures.

An important part of the process was a Technology Summit held in Billings, Montana, February 25-26, 2000. Ten members, thirteen staff, and four outside facilitators/speakers participated. Each of WORC's six member groups was represented. Participants focused on how technology could help win more victories, build stronger groups, and develop more skilled leadership and staff.

During the Technology Summit, leaders discussed the values and principles that should guide WORC and the member groups in their use of technology tools. To this end, the participants drafted the Principles for Equity and Access for consideration by the broader leadership of WORC and its member groups. These principles were amended further by the Staff Directors and eventually reviewed and adopted by the WORC Board of Directors.

— Kevin Dowling

JON STAHL PHOTO

Western Colorado Congress Staff Director Tom Perlic at WORC's Technology Summit.

Principles for Equity and Access

1. Appropriate use of technology to support grassroots organizing goals:

- Technology is a means to achieve organizing objectives, not an end in itself.
- Technology is to be applied in the broader context of our organization's mission, purposes and values to achieve organizing goals.
- Technology is a supplement to the basic techniques of grassroots organizing, including personal contact, not a replacement for them.
- WORC is committed to continual evaluation of the opportunities for and appropriateness of using technology tools to enhance its organizing.
- WORC will accept no new technologies until all of the costs, including hidden costs, are assessed.

2. Democracy in decision-making:

- Technology will be used only to build bridges, never to divide our members.
- Use of technology is not a requirement of leadership in WORC or its member groups; however, WORC encourages and supports its members and leaders to make effective use of technology in their organizing work.
- WORC is committed to establishing clear and fair policies and principles for the use and management of its online information resources.
- WORC decision-making will remain collaborative, face-to-face, and in the appropriate timeframe.

3. Equitable access to information:

- WORC is committed to using multiple communication channels, including online and traditional means, to distribute information to its members and leaders.
- WORC will strive to insure that access to technology will not determine access to information.

4. Broad access to technology:

- WORC is committed to providing its members, leaders and staff with opportunities to increase their technology skills.
- WORC is committed to increasing its members, leaders and staff access to technology tools.

***GMOs**, from page 1*

"We don't know enough about genetic engineering," said Kim Holmes, owner and chef of Sanders Restaurant. "We need more research before we bring it into the market. When our farmers are struggling and can't sell the crops they produce, we need to open up all the markets around the world — not limit them by growing genetically engineered crops."

DRC members are particularly concerned about the potential expansion of genetic engineering from corn and soybeans, where it is widespread, to wheat. No genetically engineered varieties of wheat are grown commercially today.

North Dakota State University recently entered into an agreement with Monsanto to pursue the development of Roundup Ready genetically engineered versions of NDSU's wheat varieties, which are commonly planted in North Dakota and the northern plains. With the introduction and expansion of these genetically engineered varieties comes a variety of significant agronomy problems.

One of most tenacious issues facing farmers is the spread of modified genes into conventional crop varieties. This may occur through cross pollination by wind and pollinating insects, residual genetically engineered (GE) seed in planting equipment, and seed stock contamination in the production and handling phases.

Genetic contamination of foundation, registered or certified seed stock, as well as producer grown seed, can quickly spread traits into commodity production, causing conventional varieties to test positive for GE traits. That would limit their marketability and garner discounts at the elevator. That's already a problem with canola production in Canada, where conventional canola has become GE contaminated by the widespread planting of GE canola, introduced only in 1996.

Segregation of GE and conventional varieties presents logistical problems for farmers, elevators, and exporters. Even without cross-pollination or unintentional contamination, segregation would be extremely costly if not physically impossible to implement.

Genetically manipulated markets

The Canadian Wheat Board, one of the world's largest wheat exporters, has called for a moratorium on the licensing of GE wheat varieties until these problems of segregation can be adequately addressed. DRC members believe it is unfair to expect farmers and elevators to bear the significant additional costs and labor of segregating GE and conventional varieties and to be discounted in the bargain.

Marketing of GE commodities poses the biggest problems for farmers. Many of the traditional customers of U.S. agricultural products are rejecting or restricting GE commodities. In June, 62 countries, many of them major markets for U.S. crops, signed the Cartegena Protocol, an international treaty requiring identification and labeling of GE commodity shipments, and assuring the right of destination countries to reject GE commodity shipments. The European union has outlawed the importation of GE commodities and many of North Dakota's most stable customer countries have established restrictions on importation.

> *"People have a right to know what they're putting in their bodies. People all over the world are rejecting GMO's in their food."*
> — Valley City organic farmer Don Vig

According to the North Dakota Wheat commission, 46% of hard red spring wheat exports and 41% of durum exports in 1998-99 were destined to countries now banning or restricting the importation of GE commodities. Japan alone imported 49.5 million bushels of hard red spring wheat during that time, and it is North Dakota's largest customer for hard red spring wheat. Italy, North Dakota's largest durum customer, imported 10.3 million bushels. Both countries restrict or ban the importation of GE commodities.

At the news conference in front of the state elevator, the Dakota Resource Council called for a moratorium on the certification of GE wheat varieties until issues of GE contamination of conventional varieties, segregation and marketing can be addressed. The group said three conditions need to be met to protect farmers, consumers and the environment:

- A moratorium on the release of genetically engineered products until research proves that they are safe for humans and the environment.
- Labeling of foods with genetically engineered ingredients, so that consumers have a choice in what kind of food they eat and what kind of food system they support.
- Government policies to hold corporations that release genetically engineered products liable for any damages.

DRC members said that the North Dakota economy depends on the testing and labeling of GE foods. "The American farmer runs the risk of becoming the residual supplier of last resort in the world market," said Todd Leake.

— Isis Stark

GMO Backers Should Listen to Consumers

Todd Leake

The customer is always wrong" seems to be the current slogan of giant seed and chemical corporations and their new-found partners in the research departments of tax-supported, land-grant universities. It's hard to believe that the marketplace can get any more unfriendly for us family farmers, but a massive investment in genetically modified (or "GMO") crops would do the trick.

Corn and soybean farmers already are seeing their markets dry up because the customers—particularly in Europe and Japan—are saying no to GMOs. So why kid ourselves that these people will "come to their senses" and stop their protests over the safety of GMO foods?

I grow wheat for a living, and I think it's foolish and arrogant to plunge into producing GMO wheat. My neighbors in the Great Plains—other wheat farmers, along with millers, processors, commodity handlers, and, yes, researchers and politicians—need to wake up to reality. The European Union (or EU) has a directive, number 92-20, that specifically makes importing of GMO commodities a crime. This spring, promoters of GMOs hoped the EU would soften Directive 92-20. They were disappointed.

European politicians listened to European consumers—who are also voters—and the EU settled at a low threshold of one percent GMO contamination in imported food commodities. In 1999, at least 40 to 50 percent of the U.S. corn and soybean crop was planted to GMO varieties, so this effectively bans our producers from the European export market. Why, now, should wheat farmers follow suit?

Unfortunately, even if my neighbors and I refuse to plant GMO wheat—but it's broadly introduced anyway—our marketing opportunities could be limited. Why? Because GMO wheat will contaminate other wheat. This has happened with GMO soybeans and corn, because of open cross-pollination, seed stock contamination, and the inability to segregate GMO from non-GMO products during harvest, handling, transport and milling. That is, within a few GMO growing seasons in my own home state of North Dakota, most if not all of our hard red spring wheat could test positive for GMO contamination.

How disastrous would this be for us wheat farmers? In 1998 and '99, Japan alone imported 49.5 million bushels of U.S hard red spring wheat, and was our largest customer. Italy, our largest durum wheat customer, imported 10.3 million bushels. Both countries ban GMO wheat.

Right or wrong, resistance to GMO food commodities is far from diminishing, and in fact is spreading. Even U.S.-based companies like Gerber, Frito Lay and McDonald's have announced their rejection of GMO ingredients. In addition, the recent Montreal Protocol, a treaty setting international policy for food safety, requires shipments of all genetically altered commodities to be labeled: "May contain living modified organisms." Most, if not all, countries party to the Montreal Protocol will ratify that treaty, making this labeling the official international law on GMO commerce.

The bottom line is that if GMO wheat is introduced, the future market and profit potential for this mainstay of Great Plains agriculture becomes bleak to nonexistent. No government program could then begin to address the resulting economic hardship.

But land grant universities don't seem to be hearing this message. North Dakota State University has already entered into an agreement to transfer its wheat varieties to a company, for the purpose of inserting "Roundup Ready"—or pesticide resistant— characteristics. North Dakota State and other land grant universities should not become mere adjuncts to corporate agribusiness, but remember their mission to serve the people. They must terminate plans to release or expand GMO wheat varieties before it's too late.

My neighbors in the Great Plains — other wheat farmers, along with millers, processors, commodity handlers, and, yes, researchers and politicians — need to wake up to reality. The European Union (or EU) has a directive, number 92-20, that specifically makes importing of GMO commodities a crime.

Todd Leake is an organic farmer from Emerado, North Dakota. He is a member of the Food Safety Task Force of the Dakota Resource Council.

Food Safety on the Web

WORC will launch its own food safety website later this year. In the meantime, here is a sampling of sites with good food safety information and resources. There are too many good sites to list them all.

The Center for Food Safety

www.centerforfoodsafety.org

The Center works to address the impacts of our food production system on human health, animal welfare and the environment. It's website is full of information on genetically engineered food and organic standards. You can submit comments to FDA, Congress, and other decisionmakers from its Take Action Now page (**http://www.foodsafetynow.org/**).

Campaign to Label Genetically Engineered Foods

www.thecampaign.org

The Campaign wants Congress to require labeling of genetically engineered food. Its website is loaded with information on genetic engineering and food. Sign a petition asking for labeling. Send letters to Congress, administrative agencies, grocery stores, and the media. You can order action packets, find out what's going on in your state, view lists of foods with genetically modified ingredients or review policy statements by food manufacturers and retailers on GMO's.

Center for Science in the Public Interest

www.cspi.net

CSPI has several projects on food safety, food additives, and antibiotic resistance, and features an interesting food safety quiz on its web page. Also: a food safety report card on Congress; testimony and reports; tips to prevent food poisoning; a page where you can e-mail policy makers and members of Congress; and links to lots of other resources.

Physicians and Scientists for Responsible Application of Science and Technology

www.psrast.org

PSRAST is a group of physicians and scientists who independently evaluate technologies. This web page has lots of great information on the group's current focus, genetic engineering.

Consumers Union

www.consumer.org

This website by the nonprofit publisher of *Consumer Reports* magazine provides information on a variety of consumer issues. The food safety page has information on BGH, pesticides, food contaminants, and genetically engineered food.

Institute for Local Self-Reliance

www.ilsr.org

A comprehensive site for activists and policymakers looking for innovative public policies in a variety of areas, including agriculture. The New Rules section features model ordinances, policies and laws that promote strong communities.

American Corn Growers Association

www.acga.org

The ACGA is one of the best sources of information on marketing and liability issues facing farmers who raise conventional *or* genetically engineered crops, to help farmers make informed planting decisions.

***Coalbed Methane**, from page 1*

Coalbed methane development involves drilling wells that pump large amounts of ground water out of coal seams to release natural gas trapped by the water pressure. NPRC's lawsuit against Redstone charges that the company's wells near Decker are violating the federal Clean Water Act by discharging over one million gallons per day of pumped ground water into the Tongue River and a tributary, Squirrel Creek. NPRC says the pumped water is high in salinity and ammonia, and has a high sodium absorption ratio, a standard that measures how quickly sodium is absorbed into soil. The water is unfit for irrigation and a threat to the natural environment the suit charges.

In response to a Notice of Intent to Sue filed by NPRC in April, the Montana Department of Environmental Quality issued a Montana Pollution Elimination Discharge Permit allowing Redstone to discharge pumped ground water from seven outfalls into the Tongue River. Based on firsthand observations, NPRC charged Redstone with discharging into the Tongue from nine or ten outfalls instead of the seven allowed by the permit.

NPRC also learned that Redstone was discharging into Squirrel Creek without a permit. Because of the creek's low natural flow, the discharges are causing high levels of pollution that cannot be permitted the group says.

Filed in state district court in mid-June, the settlement negotiated between NPRC and the Board of Oil and Gas also affects Redstone's operations. The settlement resolves an April lawsuit in which NPRC charged the Board with violating the Montana Environmental Policy Act by permitting wells without first conducting an environmental impact statement (EIS) to study the impacts the industry may bring to the region.

The agreement sets in place a moratorium on new coal bed methane permits until an EIS is completed, but allows the Board to issue as many as 90 additional permits for producing wells in Redstone's existing CX Ranch field near Decker. The company is currently operating approximately 140 wells in the CX field and already has permits for additional wells. No more than 250 producing wells will be allowed under the agreement. The Board can also permit up to 200 test wells, which it claims are necessary to gather the information needed for a thorough EIS.

Until the EIS process is completed, these new wells cannot go into production or discharge groundwater to any surface waters. Redstone and several other coal bed methane companies have applied to intervene in the settlement, which has not yet been approved by the court.

"We believe this is a fair settlement that puts the brakes on out-of-control development while allowing limited test wells," said Fix.

Several sets of recently analyzed groundwater samples show that water discharged from methane wells in the Decker area has 18 times as much sodium as water flowing in the Tongue River. Sodium adsorption ratio (SAR) in the samples was as much as forty times greater than Tongue River water. SAR measures the rate at which sodium will be absorbed into soil. Sodium rich water can poison plant life and causes high rates of erosion.

Analysis of the ground water samples also showed that methane well discharge water in the area has several times the dissolved solids, alkalinity, bicarbonate, sulfate, fluoride and ammonia, and increased levels of aluminum, iron, magnesium and other metals, compared to Tongue River water.

PRBRC Leader Debates Coalbed Methane Spokesman

On August 4th, Ronn Smith, a professional engineer and PRBRC member, represented the interests of concerned citizens to an audience of 300 in a debate over booming coalbed methane development in the Powder River Basin. The forum was sponsored by the Wyoming Business Council. Logan Magruder, Operations Vice President for Barrett Resources, represented the coalbed methane industry.

Smith said CBM extraction is not inherently bad, but that it needs better controls. "To the extent that methane replaces coal as the fuel of choice for new power generation, we must acknowledge the air quality benefits of developing coalbed methane. But we don't want to harm Wyoming's water and land resources in the process. Greater regulatory structure is needed, and it won't come by accident."

Smith drew an analogy between an aerospace guidance system and the laws of physics which dictate that the higher the thrust force and/or the lower the inertia, a more sophisticated control system is required. "The current CBM boom, pushed by tremendous economic forces, exhibits low inertia and calls for carefully devised policy controls to moderate its pace, scope and environmental impacts," Smith noted.

"The forces driving CBM development are a rapidly expanding gas market, rising prices and economies of scale for mass drilling and pipeline infrastructure. On the other hand, low inertia is evidenced by declining drilling and production costs, relatively low capital costs, short permitting and construction lead times, generally supportive state and federal agencies, a geographically dispersed resource, a large number of small producers, and a knowledge vacuum with respect to long-term impacts."

— Ted Lange and Jill Morrison

Smithfield to Phase Out Waste Lagoons

Corporation agreement to change hog farming in North Carolina

North Carolina Attorney General Mike Easley and Smithfield Foods announced a ground-breaking agreement in July that sets the stage for the company to phase out the use of lagoons and sprayfields at its North Carolina hog factories.

Smithfield will pay $15 million to North Carolina State University to develop alternative technology, and $50 million over 25 years for environmental improvements and monitoring. Smithfield agreed to implement the new technology as it is developed at its hog factories and those of its subsidiaries, phasing out lagoons and sprayfields, and to provide technical and financial assistance to encourage the operations with which it contracts to do the same.

"The Smithfield companies have come forward and agreed to do the right thing," said Easley. "We intend to develop this technology together and have it become the national industry standard."

North Carolina environmental organizations responded with cautious optimism, but also pointed out the limits of the agreement. "People who live downstream and downwind of factory hog farms will declare victory only when lagoons are gone and communities are free of pollution," said Michelle Nowlin of the Southern Environmental Law Center (SELC).

SELC and other groups noted that, although the agreement requires Smithfield to replace lagoons and sprayfields at the 276 hog factories it owns, there are no requirements for the 1200 operations with which Smithfield contracts. Smithfield is by far the largest pork producer in North Carolina, producing 70% of North Carolina hogs, but the agreement does not cover other companies and the three million hogs they produce each year. Finally, they noted that the agreement must be enforced by the state's next Attorney General.

North Carolinians have been outraged as their state's waterways have been flooded with hog waste. The destruction of hog factories during 1999's Hurricane Floyd broadcast the most extreme examples to the nation, but North Carolina has experienced an unending series of lagoon leaks, ruptures and overflows before and since the hurricane.

Pressure was mounting to do something about hog lagoons. Governor Jim Hunt had pledged to phase out lagoons over ten years, and was working with the North Carolina Environmental Management Commission to develop new regulations that would keep this promise. Four environmental organizations — the New River Foundation, the Neuse River Foundation, the Cape Fear River Riverkeepers, and the Water Keeper Alliance — sued the state's major pork producers in July, claiming that lagoons, sprayfields and the chronic water pollution they cause violate North Carolina nuisance law, and demanding millions to clean up the state's waters.

"It's clear that North Carolina needs a long term solution to this problem," said Easley, who is running for Governor of North Carolina. "Otherwise, the viability of the industry is in jeopardy."

Easley has said he is talking with other factory hog companies, but the model agreement with Smithfield may not be the final word on hog lagoons. The Water Keepers are going ahead with their lawsuit, noting that it will accomplish some things that the Easley-Smithfield agreement will not.

"Smithfield has profited substantially through its use of this failed waste disposal system and will continue to do so for the next five years or more under this agreement," the Water Keepers said. They say $2 million per year is not nearly enough to clean up the damage caused to North Carolina's waterways. "Polluters, not taxpayers, must be required to bear the full cost of restoration resulting from pollution practices."

"An adequate waste treatment system for the proper disposal of hog waste was invented a long time ago," said Rick Dove, a recently retired Neuse Riverkeeper. "Animal waste, whether human or otherwise, can be treated using the same state of the art wastewater treatment systems used by municipalities throughout the country. What the [hog] industry is saying is that they can't afford to spend that kind of money to protect the environment. Well then, go back to family farming and raise them the old fashion way. It's time for the fish to stop dying and the creeks to no longer be covered with feces."

> *"What the [hog] industry is saying is that they can't afford to spend that kind of money to protect the environment. Well then, go back to family farming and raise them the old fashion way. It's time for the fish to stop dying and the creeks to no longer be covered with feces."*
>
> — Neuse Riverkeeper Rick Dove

The Easley-Smithfield agreement is available on the world wide web at <***www.jus.state.nc.us/inframce.htm***>.

— Sara Kendall

Cargill Ventures Online

Meat-trading site one of five business-to-business deals

Department of Justice officials have confirmed that they are investigating a proposed business-to-business online market for beef, pork and poultry planned by **Cargill's Excel** meatpacking subsidiary and its major competitors: **IBP, Smithfield, Tyson, Goldkist** and **Farmland**. The word from the Justice Department came in response to a request by 10 Minnesota state legislators.

"It's going to hurt small farmers and small retailers," said Doug Peterson, one of the lawmakers, about the online meat market. "And ultimately, the consumer's going to pay more. Actually, it's going to remove competition because they've agreed not to compete. It's a real antitrust violation."

The B2B meat deal is one of six such ventures in which Cargill is involved (thanks to Brewster Kneen's *Ram's Horn* for compiling the list). The others:

- **Rooster.com**, with **Dupont** and **Cenex/Harvest States Cooperative**, a web-based marketplace for agricultural retailers, manufacturers, and co-ops.
- **Novopoint.com**, with **Ariba, Inc.**, an internet exchange for food and beverage manufacturers and their suppliers.
- **Levelseas.com**, with **BP Amoco**, **Royal Dutch Shell**, and **Clarkson's**, an online exchange for shipowners, ship brokers, and cargo owners.
- A steel trading exchange with **Duferco**, **Samsung**, and **TradeARBED**.
- An e-commerce venture in cotton, with **Dunavant Enterprises**, the **Allenberg Cotton Company** division of **Louis Dreyfuss**, and the **Plains Cotton Cooperative Association**.

Cargill announced that it's profits for fiscal 2000 were triple its profits in 1999, and cited the success of both its beef processing and cattle feeding operations in explaining the improvement.

Local opposition led Cargill's **Excel** division to cancel plans to build a $100 million beef packing plant in the small town of Cambridge, Iowa. A battle raged in nearby Iowa City, between proponents and opponents of siting the new plant there, instead. "The smell will be awful, and there will be an increase in crime and pollution," plant opponent Kerry Shaner told *Meatingplace.com*. Shaner is a member of **Iowa Citizens for Community Improvement**, which is leading opposition to the plant in Iowa Falls.

Smithfield Foods has dramatically increased its stake in its biggest competitor in the pork packing industry, **IBP**. Smithfield now owns 6.6 million shares, according to Dow-Jones newswires, or just over 6% of IBP's stock. **Archer Daniels Midland** (ADM) owns 13% of IBP's stock, but it is not a direct competitor, as Smithfield is.

IBP's fresh meats division earned $97 million in its most recent quarter, slightly less than its record-busting quarter one year earlier, when the prices of IBP's main supplies — cattle and hogs — were very low.

Meanwhile, IBP's legal and public relations problems continued. IBP plant workers and animal rights groups charged that the company runs its Wallula, Washington, packing plant slaughter line too fast to ensure that cattle entering the line are sufficiently stunned, resulting in cattle — as many as 30% — being dismembered, even skinned, alive. The Washington state attorney general was studying a video supplied by plant workers to document the charges.

ConAgra announced another major acquisition and another earnings increase. The company is buying **International Home Foods, Inc**., which makes Pam cooking spray and Chef Boyardee pasta, among other products, for $1.6 billion.

ConAgra reported operating profits for the quarter ended May 28 at $501 million, up from $439 million a year ago.

Margin Monitor

Company	Latest quarterly profits (% change from prior year)
IBP	- 24%
ConAgra*	+ 14%
Cargill*	+ 300%
Smithfield	+ 546%
ADM	+ 41%

* Figures for Refrigerated Foods Segment only.
** Figures for latest full fiscal year. Cargill lost money in its year ago fourth quarter.

Clarification: The May issue of the *Western Organizing Review* quoted Michael Miller, of **Smithfield**, as saying his company purchased **IBP** stock because it was "a darn good investment." That quote should have been credited to Betsy Freese of *Successful Farming*, who interviewed Miller for the quote.

We picked up the quote from a third source which did not cite *Successful Farming*. We regret the oversight.

— John Smillie

Half of Cattle Sales Are Now Secret Deals

A forum -- but still no decision -- on WORC proposal

A controversial cattle marketing practice now accounts for half of all cattle sales and may cost farmers and ranchers a billion and a half dollars per year – a situation cattle producers say is "frightening and maddening."

The nation's beef packing companies have more than doubled their use of the marketing practice, known as captive supply, in the last three and a half years. WORC has asked Secretary of Agriculture Dan Glickman to put restrictions on the use of marketing agreements and contracts between cattle feeders and packers.

At the end of July, Secretary Glickman said he would hold a forum in September on captive supplies to gather evidence he says he needs to make a decision on WORC's proposal. WORC first submitted its proposal, called a petition for rulemaking, in October of 1996.

"Increasing levels of captive supplies have been a major concern for cattle producers for a long time," said Shane Kolb, a rancher from Meadow, South Dakota, who chairs WORC's Agriculture Issue Team. "We took a look at what has happened to the numbers since we first presented our proposed rules to Secretary Glickman in October of 1996, and what we found is frightening – and maddening.

"In October of 1996, 19% of fed cattle sales in the major cattle-feeding states of Texas, Oklahoma, Kansas, Nebraska, Iowa, Colorado and Wyoming were captive — handed over to the packers without any price being negotiated on them," Kolb said. "Last month, captive supplies were 50% in those states. If you add in numbers from the Northwest, captive supplies have averaged 50% across the country in 2000. At that rate, captive supplies will cost America's cattle producers one and a half billion dollars this year."

The cost: $1.44 billion per year

USDA's Grain Inspection, Packers & Stockyards Administration (GIPSA) released its Investigation of Fed Cattle Procurement in the Texas Panhandle in December 1999. The Texas study found that a one percent increase in the use of captive supplies by packers was associated with a decrease of $0.08 per hundredweight in the market price of cattle.

At today's captive supply levels, that would mean a $4.00/hundredweight drop in cattle prices, or $48 per head — $1.44 billion for the 30 million head of fed cattle slaughtered each year.

"The authors of the Texas fed cattle study said that, if the use of these noncash cattle deals continued to increase, then the system of formula agreements without firm base prices would have to change," Kolb said. "Since the time period they studied, the use of noncash deals has increased 150%. We think it's time to put our proposal into effect before the competitive cattle market disappears completely. The evidence is there."

Cattle that packers own and feed in their own feed lots are called "captive" because the packers control them. Packers also sign contracts with feedlot owners to buy some or all of their cattle, which are also called captive. Many farmers and ranchers say that beef packers' use of captive supplies limits open competition and lowers the price they get for their cattle — without lowering the price of beef to consumers.

"There are a lot of myths floating around about captive supplies and about WORC's proposal," Kolb said. "One of those myths is that captive supplies make up a small percentage of cattle sales. Another myth is that although the effect of captive supplies on cash cattle prices is measurable, it is small. Neither of these myths bears scrutiny. According to the latest information available from USDA, captive supplies account for half of all fed cattle sold across the country, and it's a billion dollar problem."

A big step sideways

USDA also announced a set of rules to promote fair competition in livestock markets in July — rules that livestock producers said are welcome but should have gone much further. "Secretary Glickman has taken one small step to restore fair competition in livestock markets, and one big step sideways," said Kolb. "The five rules Secretary Glickman announced Friday move in the right direction, but they must be toughened up considerably as they are developed if they are to provide real help to livestock producers."

"The Secretary sidestepped a decision on our proposal to end the secret deals undermining our livestock markets," Kolb said. "With the small amount of time he has left to act, that big step sideways looks very disappointing from here in the country."

"Secretary Glickman's decision to gather more evidence on WORC's proposed market reforms is well-meaning but a classic case of too little, too late," Kolb said. "We appreciate the Secretary's continued interest in hearing about the problems facing livestock producers, but we do not believe he needs any more evidence, studies or hearings before adopting the cattle market reforms proposed in our petition for rulemaking."

Kolb noted that Secretary Glickman had appointed a Commission on Concentration in Agriculture and a National Commission on Small Farms, each of which held hearings and

gathered evidence. "The Committee on Agricultural Concentration told Secretary Glickman he had the power to enact the kind of reforms we have proposed," Kolb said. "A minority report from that Committee, and the full Small Farm Commission, endorsed our proposed market reforms."

Kolb said WORC supported the concepts behind the five rules announced in July, but pointed out that they deal mostly with unfair contracting practices by packers. "That's important, but our petition asked the Secretary to deal with the problems of a dysfunctional cattle market: price manipulation and price discrimination," Kolb said. "The announcement in July falls short of what is needed to restore a competitive market in the cattle industry."

"We have presented USDA with the legal analysis, economic evidence and public support the agency needed to adopt our proposals," Kolb said. "During the comment period in 1997, support flowed in from agriculture and consumer groups representing hundreds of thousands of individuals. Our proposal has the support of a bipartisan group of members of Congress and other public officials, led by the Congressional delegations and state officials in our region. We thank all of these supporters for their letters of endorsement, phone calls, and other efforts on behalf of America's independent livestock producers.

"The Packers and Stockyards Act gives Secretary Glickman the authority and the responsibility to stop anti-competitive practices before they ruin our livestock markets," Kolb said. "If, as the Secretary's announcement indicates, he is not prepared to adopt our proposals after four years of studying them, he must strengthen the rules proposed in July dramatically in order to live up to that responsibility. He cannot do it by holding more hearings, however well-intentioned."

Organizations supporting adoption of the rules proposed by WORC include the National Farmers' Union, Ranchers-Cattlemen Action Legal Fund, Campaign for Family Farms and the Environment, National Farmers Organization, Organization for Competitive Markets, American Corn Growers Association, National Contract Poultry Growers' Association, New England Milk Producers Association, Farm Aid, Center for Rural Affairs, National Family Farm Coalition, National Catholic Rural Life Conference, United Methodist Church, and the National Campaign for Sustainable Agriculture.

WORC's petition for rulemaking asks the Secretary of Agriculture to adopt rules to:

(1) Require forward contracts used by packers to buy cattle for slaughter to contain a firm base price that can be equated to a fixed dollar amount on the day the contract is signed, and to be offered for bid in an open, public manner.

(2) Prohibit packers from owning and feeding cattle, unless the cattle they feed or own are sold for slaughter in an open, public market.

— John D. Smillie

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WESTERN ORGANIZING REVIEW

Volume VI, No. 3 August 2000

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