

ActionAid USA
1220 L Street NW, Suite 725
Washington, DC 20005

August 9, 2018

Kathleen S. O'Neill
Chief, Transportation, Energy & Agriculture Section
Antitrust Division
United States Department of Justice

Dear Ms. O'Neill,

I'm writing to urge the Department of Justice (DOJ) to reject the proposed merger between Bayer and Monsanto. The merger would create the world's largest seed and pesticide company, which will harm America's farmers, families and environment. Regardless of the proposed divestment that DOJ is requiring in order to complete the merger, it threatens competition and innovation in our food system, compromises the future sustainability of agriculture, and harms farmers, agricultural workers and eaters. This merger threatens to significantly reduce farmer choice, decrease quality and diversity of seeds, and increase their prices. I urge you to reverse course and stop this merger from moving forward.

History demonstrates that consolidation of agricultural corporations has only hurt farmers and consumers. The Justice Department's proposed remedy will not be enough to keep Bayer and Monsanto from raising prices on farmers. This will further hurt our already struggling farm economy and, subsequently, consumers.

Farmers overwhelmingly think this mega-merger is a bad idea – a poll conducted by a coalition of U.S farming organizations found 93 percent of farmers surveyed oppose it. The survey found that farmers were overwhelmingly concerned that the merged company will use its dominance in one product to push sales of other products, that Bayer-Monsanto will control data about farm practices and that the merger will result in increased pressure for chemically dependent farming. Plus, farmers are concerned that the merger will increase prices, diminish quality, choice and seed varieties including availability of regionally adaptive seed, which farmers identified as critical given increasing climate variability.

Indeed, this is already happening. The case of Monsanto's herbicide dicamba clearly shows the company already has too much power over farmers.

In 2017, Monsanto began marketing a combination of their herbicide dicamba and dicamba-tolerant (DT) GMO soybeans. The chemical is notoriously hard to contain and can travel miles when sprayed, especially in hot, dry weather. This led farmers to sue Monsanto; states investigated the damage, and Arkansas even banned dicamba's use. Nonetheless, dicamba remains on the market and its use could double in 2018, in part because farmers who lost soybeans to dicamba in 2017 have been pressured to purchase DT seeds in 2018 to ensure their crops aren't again destroyed by dicamba drift. This is not a hypothetical situation to illustrate the

possibility of farmers' decreased lack of choice and increased use of chemicals in agriculture – it's already happening.

Polling shows that Americans share farmers concerns. A poll by Public Policy Polling found that 9 in 10 Americans have serious concerns about the Bayer-Monsanto merger due to impacts on jobs, food safety, and independent farmers. It is clear from the poll that Americans want their elected officials to counter the move toward corporate monopolies. The poll found 90% of Americans, including 92% of Trump voters, believe that the Trump Administration should take a more aggressive stance towards corporate monopolies.

Further, the evidence is clear that any of Bayer's proposed divestiture and behavioral remedies will not solve farmer and consumer concerns. The only answer to this merger is for the Department of Justice to reject it.

To date, over 1 million Americans have signed petitions urging the Department of Justice to reject this merger, dozens of our elected leaders in Congress have voiced opposition to it and farmers ranging from conventional to organic practices are overwhelming concerned by the merger and agree the Department of Justice should not allow it to proceed.

I urge you to listen these concerns and reverse your conditional of the Bayer-Monsanto merger. I urge the Department of Justice to block this merger for the sake of our farmers, families and the environment. The only answer to this merger is NO.

Sincerely,

The undersigned individuals