

From: Richard Carpenter <rbc121440@gmail.com>
Sent: Friday, December 18, 2009 10:43 AM
To: ATR-Agricultural Workshops <agriculturalworkshops@usdoj.gov>
Subject: Comments

I am writing because I am concerned about the lack of competition in agricultural markets.

Thank you for giving me the opportunity to comment.

Sincerely,

Predatory Behavior and why it is so Wrong

First a statement. Primarily in the US, the US Patent Office and the Courts have allowed and upheld patents on Genetically Modified Life Forms (at the moment mostly seeds). Bio Diversity is absolutely essential to the quality of life and survival of our species. I cannot say this loud enough, Allowing patents on crops or any life form is a crime against humanity. Allowing Predatory Companies to use the Patent System and the Legal System under the guise of solving Human Hunger in the world for their own monopolistic ends is itself a crime. The Leadership of our Country MUST stop this practice. Yesterday would not be too soon.

This behavior has been going on for years. Thankfully groups from many disciplines are fighting these practices. The problem is "a war on Predatory Companies" is like any other war. A large number of people get hurt or die but nothing basically changes.

The solution to this behavior and the damage it is doing is simple and straight forward: Do not allow patents and do not enforce lawsuits that clearly restrict Biodiversity. A patent on a life form, no matter what that life form is, is wrong and a crime against Humanity and its survival.

One more time, this is serious stuff, and mostly is being fought without media support. There is a revolution going on right under our noses and if the predatory Companies and Predatory behavior is not stopped or corrected things are going to get tough all over the world. Anyone who messes with the food chain should have to have a license to kill (007).

I am aware that these are harsh statements, but the creation of Agricultural Monopolies, the Narrowing of Bio Diversity for profit ,the elimination of certain plants and crops due to cross pollination is so damaging to future generations that it boggles the mind how the human beings (real people) in the US Patent Office and the Courts could sleep at night knowing what they are doing to the food chain and all future generations.

Canada and Argentina among a few others are exploring ways to eliminate these practices.

What practices are damaging to our food chain?

If I develop a cotton seed or say a corn seed which I have genetically modified and I sell this seed to say small farmers in India or large farmers in Canada am I committing a crime or am I being inventive and creative? Have I helped feed the world or have I created a pervasive, monumental problem.

You see the problem here covers a broad range of issues and damaging practices. First, I get a patent, then I sell the seed to a farmer. The farmer grows and tends his crop till harvest time. Now normally many farmers will save seeds from the current crop, to plant next growing season. Catch one: they are not allowed to save seeds but must buy them from me each year. Catch two: the farmer must pay me a royalty from the sale of his crop. Catch three: Farmer B, a neighboring farmer, has had some of his fields cross pollinated from his friends GMO plants. I know this is going to happen so I am prepared to sue farmer B for pirating my patented crop. The trap is a hopeless one for small farmers and an expensive one for larger farmers.

Several things transpire from this small example. One, the bio-diversity of the plant now depends only on what seeds I create, Cross pollination insures that I can make life difficult for anyone who "accidentally" has a contaminated field and attempts to market his crop or save his seeds. This is a known practice, supported by the courts, and is obviously wrong at so many levels.

It is my personal opinion that everyone ought to be able to sue the companies that promote and plant their GMO seeds without regard

to the cross pollination harm they inflict. As a point of order I would like to see a study of what effect these GMO plants are having on the Bees. They have evolved to gather pollen from certain plants and flowers. I wonder why they are dying off and does the GM alteration of the plants they depend on have anything to do with their death.

The point of the previous comment is I do not see research into the broad ramifications and potential disasters that GMO products can create. If the FDA monitors the drugs that enter the market and has rules for their testing (however insufficient they are) would it not follow that public testing and verification of GMO products is seriously warranted?

Industrial Agriculture where monocrops are continuously grown (only corn, only cotton, etc) create problems of disease control, insect control and, over time, sterilization of the soil. Larger and larger doses of fertilizer and pesticides must be spread over the fields. The soil itself contains less and less organic matter and no longer has the ability to retain water. Excessive run-offs are normal under these conditions. This of course adds all of these products to the water table, the streams and rivers and lakes. This affects the life in all of our water systems and eventually us.

Some Reference web sites

PAN - Pesticide Action Network

IATP - Institute for Agriculture and Trade Policy

Indiacurrentaffairs.org - article on the TransNational Corporate takeover of the India Seed Business

KIA - Knowledge Initiative on Agriculture (Monsanto is on the board)

AGRA - Alliance for a Green Revolution in Africa (Bill Gates contribution - \$150 million)

FDA - Food and Drug Administration - email - fdadockets@oc.fda.gov

A General Statement

The big MultiNational Agricultural Companies (Monsanto being the Alpha Male) are systematically taking hold of our seed to crop food chain. While they of course have denied that their GM Cotton seed crop has anything to do with the great number of Indian Farmer Suicides one could ask what is the non-politically correct answer to this rare and unusual phenomenon. At least the European Union has unilaterally opposed Monsanto's push to invade Europe with GM crops, but, even they are being subverted by some of the members wanting the decision to rest with the independent nations.

Any search on Monsanto can provide anyone with more information on the destructive practices of these Multinational Companies than they can handle.

Direct FDA Issues

Labeling - There was a major push by Monsanto to allow all milk products to NOT carry on the label - "Milk derived from cows treated with rBST" How it ended up after a long battle was that producers and marketers of milk products could label their product with "not from cows treated with rBST". But, they also had to add "there is no difference between milk from cows treated with rBST and those not treated"

I have read Monsanto's comments on the labeling issue as well as the FDA's guidelines on the subject. They are both wrong at a fundamental level for different reasons. And while this is an old issue and Monsanto has sold its rBST product the basic issue is still here.

Can we allow the new entries to our food chain (from birth or germination to our stomachs) that have been genetically modified free reign, meaning "Do we have the right to know directly what changes in the natural order of things has occurred with the food we ingest?"

The obvious answer, "yes, of course we do", is not the way Monsanto and the FDA see it. The example "rBST" is perfect for this issue. The FDA has stated that the milk from cows treated with rBST is no different from the cows that are untreated. Therefore to force the labeling (the ingredient list on all foods you buy that are processed foods) can mislead the public into thinking that milk from cows treated with rBST is somehow dangerous. Their argument is that since they have not found any difference then the labeling is

provocative and itself misleading.

Now I will not go into the issue of "How did they determine that". What research was done, who did it, how long was the testing, what was the breadth of the test (babies, pregnant mothers, young people, old people). I will however address the most fundamental argument for all products that are Genetically Modified and our right to know and be protected, as well as have our food chain protected.

Aside from the basic problem of pollination and cross pollination. No, no aside. Cross pollination is also a critical issue. The famous "terminator seed" developed and planted by Monsanto is a case in point. The Genetic Change reduced or eliminated the plants reproductive capability. I imagine the intent was to make it impossible to save seeds so that the farmers would be forced to buy the seeds from Monsanto each planting season. Here enters cross pollination. If this GMO cross pollinated to a neighbor's crop, that farmer was harmed in a very grievous way. Cross pollination is a giant issue in all of this and has to my knowledge not been addressed by the FDA, the courts, or any other entity that is supposed to protect us and protect our food chain.

Genetic modifications are not always clearcut. It has a level of complexity that, I doubt, any one human being has the capability to understand or guarantee "no side effects!" For instance, despite the great strides that have been made in Genetics, "not all is obvious to the most casual observer".

Many Genes are triggered by stresses in the environment, or by other events in the developmental process. These are dormant genes. If I change "aB" how do I positively say that down the road gene "cT" will not be activated because of the changes I made. What subtle long term effects might the ingestion of GMO organisms cause in Babies?, in Pregnant Mothers? etc.etc.

As of now the testing criteria seems to be almost invisible. I am not trying to say that Genetic research is bad or that many great things have come from it. I AM SAYING that we who are exposed to the possible ingestion of GMOs have the absolute right to know what we are eating, whether the FDA has signed off on the product or not.

It IS the absolute responsibility of the Federal Government, through its agencies, to protect us and to protect the food chain. At the minimum, regardless of the Monsanto like arguments, we have the right to know what is in the food we ingest and how it was grown.

It is no wonder most people who have the resources to do so, choose Organic products (grown with out antibiotics, pesticides, or hormones). But what about all those who cannot buy these expensive alternatives. They are the real victims on all of this because their choices do not exist. But no matter what I as a citizen of this country, AND, I as a citizen of this Earth we live on, have the right to know who is meddling with my food and to what degree. The FDA was wrong to give Monsanto a pass on the labeling issue.

And the Patent Office was wrong to not have a serious debate on the patent rights associated with GMO products. And, the courts were wrong to not hold Monsanto libel for the Contamination their seeds inflicted on the world and on the other farmers who want to protect us and the food chain we rely on for our survival.

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