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Sent: Wednesday, December 30, 2009 6:50 PM
To: ATR-Agricultural Workshops <agriculturalworkshops@usdoj.gov>
Subject: comments on seed industry consolidation

30 December 2009

Dear Representatives of the Department of Agriculture and Justice:

As it appears that you are collecting stories about problems with consolidation in the seed industry, this is a letter with comments from my experiences. While I still need a full time job off the farm, I am a very small time corn breeder trying to break into the corn seed industry. I am also the editor for a newsletter called "Corn Culture" for other farmers and breeders of open-pollinated corn. I shall keep these comments to actual stories about me and the folks I work with.

In the last twenty-five years there has been incredible consolidation in the seed corn industry, although the same appears to be true for vegetable seeds and the seeds of other major commodities. There are now few small seed companies and as I look to them to increase and sell the fruits of my breeding I am finding that there are almost no independent seed companies to be had: there are very few and fewer yet that are free of contractual obligations to Monsanto at least. Who will produce and sell any varieties I can develop?

This has greatly driven up seed prices, which I guess is an advantage of sorts to me since I grow my own and hope to sell someday if I can find any seed companies who are willing to work with me. When I was in graduate school I did a seed economics calculation for my thesis in 2004. By 2005 those numbers were meaningless and this trend continues. The prices for seeds are climbing at rates almost unheard of in the last 100 years and for no obvious reason other than monopoly power. I have spoken with many farmers who are very unhappy with these prices and looking for alternatives. However, with the market so consolidated there are no real competitive prices for them to find. Monsanto and its partners set their prices and the rest of the market follows suit. In order to keep farmers in business the federal government provides numerous subsidies to farmers. Since farmers need to buy expensive seed this money is in fact a subsidy to the big seed companies who surely get their share of these federal funds.

One of the biggest problems is that the ability to patent seeds, something not allowed by law but put in place by the courts. This has provided the financial basis for much of the recent consolidation. It also means that I as a small seedsman must constantly worry about stray pollen getting into my crop. Lest a big company sue me for "stealing" their genetics, I am now forced to test my populations before I can move them to market. This costs me hundreds of dollars per population or variety, funds that are hard to recoup. I had some seed that I was hoping to put out for testing and market a few years ago but it was contaminated with transgenes via pollen and I had to give it up. This has been a big problem for other small and very seed companies too, especially those in the organic seed trade. There is a great fear of a multinational coming to call about seeds, and since there are plenty of stories about Monsanto agents harassing seed cleaners, there is some amount of angst among small seed producers too. Some of the few farmers who grow their own seed corn are giving up in frustration and fear. Who would stand with us?

I am intending to work on natural corn without transgenes, and I see that those types of varieties are vanishing from the marketplace. It is even hard to find more than a handful of sources for natural corn varieties for comparison purposes, something a breeder needs. The few public breeders are largely closing shop and/or forcing enormous payments to make use of publically developed lines. In order to get seeds from Iowa State University I must pay \$100 for 100 seeds and have them approve any use of anything I breed with them later on. I signed the agreement, but it leaves me with many fewer options. NDSU charges \$500 for 100

seeds of their public lines and I cannot afford that at this time. Before the patenting and consolidation became very hot, public varieties were truly public and natural varieties were plentiful and seed prices low. No one came snooping in your fields either. The sad thing about it is that genetic gain from selection in corn has remained exactly the same from the 1960s until now. The restrictions on seeds have increased costs and control, but not provided any real gains to farmers or consumers.

I would like to ask you the Department of Justice and the USDA to promote legislation that would end seed patents and leave the plant variety protection system in place. That legislation also needs to clearly state support for farmers? historical rights to save seeds, rights that have been taken away without due compensation by our courts and the Multinational seed companies. I would also like to see strong enforcement of antitrust legislation in all markets across our nation. Then farmers will have a chance to make a living without the constant price fixing on both ends of their world: inputs and processing.

Peace,

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