

From: lindsey.r.schneider@gmail.com [mailto:lindsey.r.schneider@gmail.com]
Sent: Tuesday, January 05, 2010 2:30 PM
To: ATR-Agricultural Workshops
Subject: Agriculture and Antitrust Enforcement Issues comments

To Whom It May Concern,

Please accept the attached comments from Pesticide Action Network North America regarding Agriculture and Antitrust Enforcement Issues in Our 21st Century Economy, as requested by the U.S. Department of Justice. Please contact me directly with any questions or concerns about these comments.

Best regards,

Lindsey Schneider

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Lindsey Schneider
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December 31, 2009

Legal Policy Section
Antitrust Division
U.S. Department of Justice
450 5th Street, NW, Suite 11700
Washington, DC 20001



Re: Comments Regarding Agriculture and Antitrust Enforcement Issues in Our 21st Century Economy

Pesticide Action Network (PAN) North America applauds the Department of Justice (DOJ) and United States Department of Agriculture (USDA) for an historic joint investigation of corporate consolidation in the agriculture industry. As part of an international citizens' action network working to replace the use of hazardous pesticides with safe, secure and fair alternatives, we are committed to ensuring domestic and global food security, and working toward equitable and environmentally sustainable farming. PAN North America, together with our network of more than 600 organizations in over 90 countries, and our thousands of members in the United States, are deeply concerned about the degree of corporate consolidation and market concentration in the U.S. agricultural, food processing, and retailing sectors. We are particularly concerned about concentration in the agrichemical and seed sectors, and how this concentration limits options for farmers, undermines scientific understanding and has led to undue influence on federal regulatory processes by agrichemical corporations.

Just a small handful of companies control the majority of the agrichemical, seed and agricultural biotechnology markets. Globally, the top six agrichemical companies (Monsanto, Syngenta, Bayer, DuPont, BASF and Dow AgroSciences) control 75% of the industry. We are extremely concerned that these corporations in particular have undue influence on U.S. government decisions. Scientists have documented cases where Syngenta, for example, the main manufacturer of atrazine, has undermined scientific integrity, thwarted the democratic process and swayed U.S. EPA to continue use of a chemical that contaminates our water, threatens our health and persists as a hazard for decades, even while Syngenta's home country, Switzerland, no longer allows its use. Monsanto has been allowed unprecedented control of segments of genetically modified seed markets, forcing farmers and other companies to remain reliant on their proprietary technologies. Both companies have wielded their considerable financial and lobbying resources to control and suppress the science related to the dangers and problems associated with their products. Scientists Tyrone Hayes and Paul Wotzka, among others, have faced retaliation for speaking out against atrazine.

We are concerned that concentration of agrichemical companies has led to limits on scientific research and understanding as we face food and climate crises across the globe, with grave consequences for public policy formation. The research and extension agendas of the USDA, the National Institute for Food and Agriculture, and land grant universities must be robust and include exploration of agroecological solutions that support a resilient, secure and democratic food system, as confirmed by the UN-led International Assessment of Agricultural Knowledge, Science and Technology for Development. However, US agricultural universities, research institutions and other agencies' agendas are increasingly set and often funded by the major agrichemical corporations, which promote research that continues reliance on their products. For example, as the use of Monsanto's products that include glyphosate have dramatically increased across the countryside, glyphosate-resistant "superweeds" have emerged. As this problem

Advancing Alternatives to Pesticides Worldwide

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unfolded, Monsanto sought and received a patent on mixtures targeting glyphosate-resistant weeds nearly ten years ago, allowing Monsanto to profit from the very problem that widespread use of its products had created.

The impacts of corporate consolidation and market concentration include but go well beyond the ability or inability of US farmers to access a wide range of seeds and technologies. The impacts include the steadily revolving door between a handful of increasingly powerful agricultural firms and the government agencies responsible for formulating and implementing public policy around food and agriculture. Having former Monsanto employees such as Roger Beachy and former pesticide lobbyists like Islam Siddiqui assuming leadership in top government offices deepens these corporations' influence over not only the national agricultural research agenda, but also the policy-making process itself, severely limiting law- and policy-makers' ability to introduce more democratically governed, equitable and sustainable food systems as well as their ability to safeguard health and advance environmental and other public interest goals.

PAN strongly believes that we need a transparent, participatory process as the Department of Justice considers these concerns. There should be no closed-door meetings of any kind and summaries of all interactions between U.S. DOJ, USDA, and stakeholders in food security issues should be made public.

Thank you for the opportunity to comment on these important issues and best wishes as you move forward in addressing one of the most critical issues of our time.

Sincerely,

A handwritten signature in black ink that reads "Lindsey Schneider". The signature is written in a cursive, flowing style.

Lindsey Schneider
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lindsey@panna.org