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LOCAL LEGISLATION NO. 2
VETERANS & MILITARY AFFAIRS

December 28, 2009

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

**Comments Regarding
Agriculture and Antitrust
Enforcement Issues in our
21st Century Economy**

To Whom It May Concern:

This letter is a comment submission for the Antitrust Division of the U.S. Department of Justice and the United States Department of Agriculture's Joint Public Workshop Series, beginning in Iowa on March 12, 2010.

As a member of the Alabama State Senate's Standing Committee on Agriculture, Conservation and Forestry, I have a particular interest in the public workshops, one of which will be held in my home state this coming May 21st.

Obviously, a vibrant and productive agricultural capability in America is vital to the health and welfare of our citizens, our economic sustainability and our national security. And while I commend the Department for its concern about the current state of agriculture and agribusiness in terms of competitiveness, my observation is that today's farmer has benefited tremendously from breakthroughs in technology resulting from research and development in the agricultural sector.

For example, in regard to seeds and seed traits, farmers have more choices in today's marketplace than ever before. That innovation in new traits and germplasm has allowed farmers to significantly increase yields while reducing other costs such as fuel and pesticide expenses.

However, the protection of intellectual property rights is essential to the encouragement of true innovation. That type of innovation is only possible if

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agribusiness companies who make large financial commitments to research and development know the products and intellectual property they develop will be protected.

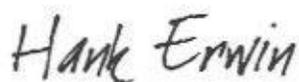
Each year, farmers make decisions before planting season about the seed products they will utilize on their farm. Farmers today are savvy businesspeople who make informed decisions about which products are best for their particular farming application. Those competitive products are made available to farmers only through innovation and resources committed to research. The continuation of strong intellectual property and

patent protection contributes to economic growth in the form of new business, more jobs created and increased tax revenues.

As we all know, because of the challenges brought on by worldwide population growth, feeding the world's population will be an ever increasing challenge as the years go by. The United Nations has predicted that by 2050 we must at least double our food production to feed an estimated population of over nine billion. One key factor to help meet that global challenge is continued innovation and technological advancements in the seed and traits industry. National changes in policy, which would potentially affect the expenditure of funds for research and development, could adversely affect our ability to meet those challenges in the future and could, in my judgment, greatly impact our nation's economic viability and national security.

I appreciate the opportunity to comment on these issues and I ask that you take them into consideration as the Department conducts its workshops in 2010.

Sincerely,

A handwritten signature in black ink that reads "Hank Erwin". The signature is written in a cursive, slightly slanted style.

Senator Hank Erwin
Alabama State Senate
Member Agriculture, Conservation
and Forestry Committee