

Joe Merschman

From: Joe Merschman [joem@merschmanseeds.com]
Sent: Thursday, December 31, 2009 11:03 AM
To: 'agriculturalworkshops@usdoj.gov'
Subject: Comment On Monsanto DOJ Investigation

I am writing in regard to the current investigation of Monsanto by the Department of Justice for antitrust activities. Merschman Seeds, Inc. is an independent family owned seed company that has been a licensee of Monsanto since 1996 with the introduction of Roundup Ready Soybeans so we have had extensive dealings with Monsanto and their products over the years. Our customers have been very satisfied with Monsanto's innovative products which have solved many problems with weed and insect control in the crops that they raise. Monsanto has invested a tremendous amount of money in our industry to the betterment of our customers and mankind resulting in higher yields plus giving our customers many intangible benefits of less stress in their lives and more time with their families. Monsanto's investment in seeds and traits has caused competitive companies to raise their level of investment in research too resulting in much better products for the farmer than if this had not happened. Just look at the wheat industry by comparison to the corn and soybean industry for investment. We sell soft red winter wheat and there has been no new innovation in decades to benefit farmers.

Our company has always been customer driven during the 55 years we have been in business responding to the needs of our customers. We search out and sell only products that are profitable to our customers regardless of where they originate from. We currently have licenses to sell competitive products to Monsanto from many other sources. Each year we evaluate all the products available to us and bring to our customers products that we feel solve problems for our customers the best focusing on customer profitability. We have never been prevented by Monsanto or restricted to have this freedom of choice.

We currently offer conventional corn and soybeans, Bayer's LibertyLink Soybeans, Dow's Herculex I and Herculex Xtra corn traits as well as Monsanto's Roundup Ready Soybeans, Genuity Roundup Ready 2 Yield Soybeans, YieldGard Triple and Genuity SmartStax Corn plus other traits. The contracts that we sign from Monsanto and other trait providers are all written very similar in their requirements. We do not always agree with some of the business decisions Monsanto makes and we have always been able to communicate these disagreements. I never felt we were penalized for disagreeing with Monsanto in anyway or for selling competitive traits. We choose to do business with Monsanto because of their innovation and what they can bring to our customers.

I believe that because Monsanto was first to market on many traits they have held a competitive advantage over competitors who were not investing as heavily. The landscape is changing rapidly with many new innovative traits in development which will compete for market share with farmers. It's a fact that farmers choose seed based on what makes them the most profitable. I believe with existing traits and future traits in the pipeline there will be more choices than ever for the American farmer. It would be a tremendous help to the American farmer to see a faster approval process of new traits by our government and other countries in the world. This would create even more competition, investment and innovation in our industry.

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