

From: dmurphy123@gmail.com <dave@fooddemocracynow.org> on behalf of Dave Murphy <dave@fooddemocracynow.org>
Sent: Tuesday, January 12, 2010 5:10 PM
To: ATR-Agricultural Workshops <agriculturalworkshops@usdoj.gov>
Cc: Ingalls, Janie <janie.ingalls@usdoj.gov>; Lisa Stokke <lisa@fooddemocracynow.org>
Subject: Food Democracy Now! - CREDO Action public comments on Agriculture and Antitrust 12-31-2009
Attach: Food Democracy Now! & CREDO Action Comment on Agriculture Antitrust 12-31-09 letter.pdf; Citizen Comments - Food Democracy Now - CREDO Action.pdf

Janie,

We spoke last week about passing our comments on to Sam, the DOJ staffer who is handling comments for the DOJ's Antitrust Division regarding their upcoming joint workshops investigating antitrust issues relating to agriculture.

As we discussed, the comments we submitted previously contained a formatting error that did not place our member's comments next to their names in the proper format so we wanted to submit this properly formatted version to be a part of the permanent public record.

Many thanks for your assistance in helping us with this matter.

Please let us know if any further information is required.

Sincerely
Dave Murphy

Director
Food Democracy Now!
[Redacted Text]

Food Democracy Now!
[Redacted Text]
[Redacted Text]

www.fooddemocracynow.org
917 968-7369

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The Honorable Eric Holder????????????? ?????????????? ?????????????? ?? The Honorable Tom Vilsack
Attorney General????????????? ?????????????? ?????????????? ?????????????? ??????? Secretary????????????? ??????????????
U.S. Department of Justice????????????? ?????????????? ?????????????? ?? U.S. Department of Agriculture?????????????
950 Pennsylvania Avenue, NW????????????? ?????????????? ? ? ? ? 1400 Independence Avenue, SW
Washington, DC 20530????????????? ?????????????? ?????????????????????????????? Washington DC, 20250

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

Washington DC 20001

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Electronically to agriculturalworkshops@usdoj.gov.

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December 31st, 2009

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In re: Agriculture and Antitrust Enforcement Issues in Our 21st Century Economy

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Dear Attorney General Holder and Secretary Vilsack,

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On behalf of the non-profit sustainable agriculture organization Food Democracy Now! and CREDO Action, the grassroots political arm of CREDO Mobile, I would like to submit the following comments to the U.S. Department of Justice and U.S. Department of Agriculture on Agriculture and Antitrust Enforcement Issues in Our 21st Century Economy (74 Fed. Reg. 16543725-43726).

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Attached are the signatures and comments of nearly 21,000 American citizens, family farmers and consumers who, in less than 24 hours, signed a petition calling for further investigation into the excessive concentration in the food and agriculture sectors. And while we are encouraged that the Department of Justice and U.S. Department of Agriculture have solicited public comments and agreed to hold joint workshops, we believe that a preponderance of evidence points to the fact that U.S. antitrust laws are currently being violated to the detriment of America's family farmers and 300 million consumers and immediate action must be taken to protect the fairness of our nation's economic markets.

Whenever power is concentrated in the hands of a few, abuses of power inevitably occur. For the past several decades, multinational food conglomerates have been allowed to merge until only a few giant multinational corporations control our food. These companies have used their excessive market concentration to: cheat farmers from receiving fair prices; unfairly raise production costs; manipulate the price of food and run roughshod over our nation's environmental and labor laws.

Today only a handful of our companies control our food supply. Currently, one company (Monsanto) controls the seeds of 93 percent of soybeans and 80 percent of corn sold in the U.S., while four companies (Tyson, Cargill, Swift, and National Beef Packing Co.) control 83 percent of the beef packing industry and, similarly, four companies (Smithfield, Tyson, Swift and Cargill) control 66 percent of the pork packing industry.

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As prevailing antitrust theory holds that whenever four companies control more than 40 percent of a given market the potential for clear market distortion strongly exists, it is obvious that nearly all segments of the food and agriculture sectors are in violation of U.S. antitrust law.

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Such excessive concentration has allowed agribusiness corporations to exert undue pressure on family farmers attempting to negotiate contracts in purchasing and selling livestock and has unfairly placed the same farmers in precarious position in the marketplace in terms of buying seeds and inputs to plant their crops. These same market distortions are also present on the consumer end as the divide between the prices paid to farmers and the prices paid at the grocery store continue to widen to the detriment of both farmers and consumers in America.

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We look forward to the 2010 Agricultural Concentration Workshops, which provide a remarkable opportunity for America's family farmers, citizens and consumers to regain a sense of fairness and balance in the marketplace in terms of how their food is grown, raised and sold in the U.S. It's time to return to a level playing field in rural America so our economies can grow and prosper in accordance with U.S. law, returning a sense of justice to the heart of our nation's economy

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Sincerely,

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Dave Murphy

Director
Food Democracy Now!
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Becky Bond
Political Director
CREDO Action

--
Dave Murphy
[Redacted Text]

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