

To Whom It May Concern:

As a landowner whose North Dakota farmland value could be greatly affected by the issue of coexistence and as a consumer of organic products who believes that the money I spend on food purchases is my "vote" in the marketplace, I offer the following comments about the proposed insurance model dealing with coexistence.

I believe in choice, but with choice comes responsibility. Regarding the question of whether certified organic crops preceded the arrival of transgenic crops, there can be no debate. Organic production was here first. Hence, if commodity producers choose to raise transgenic crops, then it is the transgenic producers who should be held liable for cross-contamination of organic/IP crops. Otherwise, no progress will have been made by the AC21 initiative--it will be just another extension of the status quo whereby the risk takers (in this case biotech producers) will be able to internalize their profits and externalize their costs. In short, AC21 recommendations do not pass the fairness test.

Many, if not most, of the producers who raise transgenic crops are focused on yield--bushels per acre. In fact, increased yield/ease of agronomic management have been the key selling points of transgenic crops. Therefore, it stands to reason that those purportedly benefitting from this new technology should be held responsible for any unintended consequences that may result. Why should organic/IP producers, who--by choice--neither use nor benefit from transgenic crops, bear additional burdens and costs related to the actions of their neighbors who've adopted transgenic technology? In short, the only acceptable and just model for compensation is one where costs are borne by the party responsible for the damage--and not by the party who's been harmed. To do otherwise, would be to support what's currently been called "legitimate rape."

Finally, the AC21 recommendations are based on wrongheaded conclusions. For example, so-called super weeds disprove the claim that transgenic technology has not had an adverse effect on agricultural ecology. From an economic standpoint, outcrossing increases the farmers' cost of production, thereby ensuring the decades-long march toward fewer farmers and larger farms, a situation I've witnessed all my adult life--with my small farming community now being nearly half the size it was when I was a child. This relentless march of industrialization is the primary reason for my support of organic agriculture, with its smaller, more resilient operations. In short, consumer preference can't be ignored and the evidence is clear that in many marketplaces, consumers reject products containing transgenic ingredients. In the United States, I'm convinced that there would be even more widespread consumer rejection of transgenic ingredients if products were properly labeled so the consumers truly knew what they were eating. But until proper labeling does appear, the AC21 should at least follow the dictum to "do no harm" to those producers who are trying to supply consumers with the organic/IP products they demand.

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