

Organic producer's comments to perceived intent of the AC21 Committee recommendations.

I have followed with some interest the developments of the AC21 committee and it was my hope that, at long last, we might see some action in development of a proposal that would establish some level of accountability on the part of GE patent holders and users of that technology. It appears that has been a miserable failure. The conclusion seems to be that somehow IP (i.e. organic producers) should happily co-exist with GE user – producers, and that IP producers, as a group, should establish or add to the Federal Crop Insurance Program, some insane mechanisms to self insure, or at least in part with maybe some participation from GE farmer – users, against economic damage from GE imposition on our operations.

Allow me sight a perspective as a rural America property owner. What happens on my side of the property line is generally my business until it adversely affects a neighboring property owner in some way. If my cows are outside of my fence and damage my neighbors crop I am morally and legally responsible him or her for damage. If I decide to erect a dam or diversion that dries up a water supply for my neighbor's livestock I can be held legally accountable to the point of paying for alternative water sources or even the removal of the imposing structure. If I apply chemicals for weed or insect control and there is drift which damages my neighbor's crop I am morally and legally responsible for damages. Each of these is clear example of how we have been dealing, legally, with relatively new technologies that came to agriculture recently, from a historical perspective. There is no difference in how legal responsibility should be established for the use of GE technology.

To even think that a departure from this long established premise is acceptable is completely asinine, morally wrong, legally questionable, and sets a very dangerous precedent for relationships among adjoining, agricultural, property owners. This issue cannot escape the reality of cold hard facts about legal obligation.

Apparently, a majority of AC21 is failing the agriculture industry by not taking a firm stand with a proposal that is legally and morally right.

Current proposals, as I understand them, lead to and end of some level of self insurance on the part of IP producers who may become victims of imposing contamination. I can think of no other scenario where victims are required to self insure, least of all, to ridiculously propose that it be attached to Federal Crop Insurance. At best, FCIC is an institutional behemoth, subject to special interest pressures, and certainly will be a political football in the farm bill debate.

The organic community has been largely uninformed of these developments. Any proposal that allows the owners and users of GE technology to circumvent the liability issues for the problems that its use creates is unacceptable.

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