

**Public Comment of**  
**Nicholas Maravell, Maryland Organic Farmer**

On the Draft Report of August 17, 2012  
by the  
USDA Advisory Committee on  
Biotechnology & 21st Century Agriculture (AC21)

Hyatt Regency on Capitol Hill  
Washington, DC

August 27, 2012

I am Nick Maravell, an organic farmer for the past 32 years.

I own and operate Nick's Organic Farm, in Montgomery and Frederick Counties, Maryland. We raise certified organic corn seed, soybean seed, small grain seed, forages, vegetables, grains and livestock.

I would not want to participate in any of the compensation options presented in the Committee's report. Many of my reservations are discussed in the draft, except the key argument that the non-GMO farmer and the general taxpayer should not be asked to pay for damage created by another party.

I fully support Recommendation III concerning the development of mitigation measures and Recommendation V concerning the commitment to maintaining the purity in the USDA and commercial germplasm collections. Given the prevalence of GMO technology in many commodity crops, I support in principle Recommendation IV regarding research to promote co-existence. I did not find the research topics and priorities, the delineation of funding sources and levels, and the exploration of cooperating institutions to be fully developed or to take a broad enough view of the issues.

The report states "farmers need to have ongoing dialogues with their neighbors on how they can work together." If that were a viable strategy, we would not be here today because farmers are generally cooperative with each other and would have already solved any problems under their control. Furthermore, placing all of the responsibility for co-existence on farmers totally leaves out the biotechnology patent holders and USDA's leadership role. Finally, this approach is an idealized version of days gone by. Today's land ownership and farm management patterns have changed and do not result in adjoining owner/operators talking "over the fence." Holdings can be huge and scattered, landowners can be very distant, and

farm managers and renters can change frequently. Personal bonding to land--to place—has weakened. The incentives for working “together” have changed and dwindled.

I feel the report takes too narrow a view of the considerations driving an organic farmer’s concern about compromising the purity of organic product with GMO material. The report states “... the decision to produce for a commodity or identity preserved market is influenced by factors such as price, yield, weather and the contract terms...” These are important business considerations, but by no means the only or even the most important considerations.

The downstream and long term effect of the current and projected future uses of GMOs and associated pesticides creates a very complex set of interactions that are not fully understood. Scientific studies are replete with cautionary flags—weed and pest resistance, disease susceptibility, out-crossing, adverse impact on livestock, and environmental damage to traditional ecosystems above and below the soil and in aquatic systems. The structural changes necessary to and accompanying the commercialization of biotechnology have resulted in major changes in seed breeding, seed patenting, seed production, and seed marketing such that the independent farmer has fewer seed choices, more expensive seed, and less access to locally adapted non-GMO seed.

Very legitimate scientific inquiry has enabled biotechnology to be a powerful tool. However, for the reasons stated above, I do not want to use it, and I should not be subjected to it.

I am reminded of some older technologies. The introduction of organochlorides in agriculture was heralded with the slogan “End world hunger.” Science led the way, but the path turned perilous to the environment and human health. Unrelated to agriculture, scientists touted nuclear power generation as “Energy too cheap to meter.” Again, major environmental and health concerns emerged. Organochlorides and nuclear power can be stopped or severely restricted. Once released, biotechnology products may never be recallable.

Acknowledging these broader concerns is key to understanding what is lacking in the compensation models presented in the report. They provide no adequate incentive for patent holders or GMO users to prevent GMO material from finding its way into unintended places. I want effective means of preventing adventitious presence. I do not want to substitute compensation. The damage I seek to avoid cannot be compensated with money.

It is clear that despite the best efforts of the committee, the proposed compensation options will have such a limited effect on advancing co-existence that they will be totally overshadowed by current and future political actions, lawsuits, and marketplace education efforts.

My recommendation would be to not endorse any of the compensation options, but to ask the Secretary for a new charge to recommend a comprehensive strategy for co-existence. The Secretary's direction would be to identify strategies that are fair to all stakeholders, clearly legal in their applicability, and rare with regard to compensation because other measures were alleviating that need.