



**Genna Reed, Food & Water Watch
Comments for the AC21 Plenary Meeting
August 27, 2012**

Good Afternoon. My name is Genna Reed and I am a researcher at Food & Water Watch, a Washington-based national consumer advocacy organization that supports safe, accessible and affordable food for consumers and fair access to markets for farmers.

I thank you for the opportunity to comment today on the committee's draft recommendations to Secretary Vilsack. I have had the opportunity to attend all of this committee's meetings and have made comments urging committee members to understand coexistence as not just a farmer-to-farmer problem, but as a bigger issue involving farmers, technology developers and the USDA.

After reading through the AC21 draft recommendations, I am disappointed in the committee's inability to capture the scope of the problem at hand and to suggest recommendations that would sufficiently cover those most affected by potential economic losses due to gene flow.

There are some fundamental flaws in the recommendations:

Coexistence means preventing gene flow, not institutionalizing it

First, coexistence as we know it depends on stopping GE contamination altogether. Since the introduction of GE technology, balance in agriculture has been diminishing. This is not a problem that affected farmers until GE seeds came on the market. It is unacceptable that we have to be content with some form of impurity in our agricultural seed stock rather than working hard now to ensure that seed purity is protected from GE gene flow in the present. Instead of stopping GE contamination in its tracks, USDA has made the approval process for these crops even more streamlined.

Food & Water Watch urges USDA to enact a moratorium on GE crop approvals until the agency develops a stronger stance on contamination management in agriculture. Crops currently in the USDA's deregulation pipeline, like stacked herbicide resistance crops and crops with industrial and pharmaceutical purposes, will raise new coexistence issues, which should be considered before their approval, not after.

Crop insurance is neither fair nor feasible

Second, it is unfair that those being harmed by GE contamination most are the ones that would be responsible for also paying into an insurance program. During the past plenary meetings, there has been almost no discussion about the idea of a compensation fund paid into by the technology patent holder. The liable party for contamination should be the patent holder of the gene technology, not the farmer who grows its seed. The companies

that profit from the technology should develop a fund from which contaminated farmers can be compensated.

The recommended crop insurance mechanism in which the non-users and harmed parties are paying for insurance for a risk from which they are not at all benefiting, would set a dangerous legal precedent in dealing with these types of issues in the future.

Aside from the fact that organic and non-GE growers should not be responsible for their harm from GE contamination, a crop insurance mechanism would not even work right for organic growers. Often, organic growers are reimbursed for losses at conventional prices, instead of receiving the premium associated with their specialized production. Many other organic or specialty crop growers do not even have access to crop insurance because there is less risk data associated with these crops. Even if crop insurance were the answer to the compensation question, there would have to be several reforms to its accessibility and RMA's payout value for organic and non-GE specialty farmers.

USDA must have a more prominent role in enforcing prevention standards and responsibly regulating GE crops

Third, it is unacceptable that the recommendations do not feature the USDA as an integral part of the resolution of this situation. USDA must put its resources into researching, tracking and analyzing incidences of contamination and associated economic losses on a coexistence database. USDA should also monitor that GE and non-GE growers are following best management practices. And the USDA extension service should be involved in helping to educate GE, non-GE and organic farmers about this growing problem and how to best avoid contaminating or being contaminated by neighbors' fields.

The status quo is unacceptable

Earlier this month, the Oregon Department of Agriculture announced that it would be allowing canola plantings in the formerly protected zone within the Willamette Valley. Farmers are up in arms about the potential for the promiscuous GE canola to contaminate specialty vegetable seeds, like canola's cousins: cabbage, cauliflower, broccoli, Brussels sprouts, kale, turnips and kohlrabi. Some grain handlers and buyers have already threatened to begin sourcing outside of Oregon due to the high potential for contaminated seed. This committee cannot possibly think that some of these vegetable farmers would be impressed with the idea of paying into an insurance program to protect themselves from the farming decisions they did not make.

The recommendations as they stand will simply perpetuate the status quo, allowing GE gene flow to continue and harmed farmers to continue to pay for economic losses due to no fault of their own. It is incredibly important that these fundamental flaws be addressed in the final draft of the AC21 committee's recommendations.

Thank you.

Food and Water Watch

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