

Thin Ice



the GM Freeze Campaign newsletter

Issue 9, November 07

"The benefits of biotechnology... are nearly limitless*" *According to Monsanto's web site

Monsanto's stock price has gone up over 700% in the past five years, and their sales were in excess of US\$7.3 billion last year, so somebody likes them. Yet the company reports that some 65% of its test fields were destroyed in 2006, and the US Centre for Food Safety says, "the depth of market rejection of GE foods is arguably unparalleled by any other consumer product," so clearly quite a few people don't. The company's market savvy seems to keep them afloat while they continue to work the system. Monsanto's director for Southern Europe says that consumers "fear" the technology because they "received false information", but he firmly believes that within ten years GM will be accepted on a level beyond the "point of no return" saying, "The technology will not impose itself on consumers, but consumers will better understand the usefulness of GMO technology as farmers increasingly adopt it."

This might well be considered extremely wishful thinking. Even a cursory look at the facts belies the company's rosy outlook:

- "Monsanto's commercial business approach is to invest in seed and trait technology development to create products that increase yield and improve

farm productivity." (Monsanto press release, 13 September 2007) – Despite these oft repeated claims, and a 60% premium paid by farmers for GM seed, worldwide cultivation of GM crops is almost exclusively limited to corn, soya and oilseed rape engineered to resist Monsanto's own RoundUp herbicide (not to improve yields). The aim is to sell more chemicals, not feed the world – there are few new food crops in development. USDA and independent scientific data shows yields from GM crops falling. The Iowa State Attorney General issued an anti-trust civil investigative demand in September for the company to release full information on its seed traits, chemical, licensing and marketing programs to examine the company's claims.

In fact, the new breed of "superweeds" now resistant to RoundUp are driving farmers back to older, more toxic herbicides like 2,4-D (another Monsanto concoction). In Argentina, the 120,000 hectares of agricultural land affected by superweeds has prompted urgent Government action to contain them and a bill in the legislature to try to eradicate them. One weed alone, Johnson grass, could increase costs by up to US\$950 million for 25 million litres of herbicide, effectively doubling the cost of production in affected areas.

- "Our researchers continue to work carefully to ensure that improved crops are the same as current crops, except for the addition of one beneficial trait, such as resistance to a particular insect or virus." "The use of Bt. technology reduces and in some instances can even avoid the need for insecticides." (Monsanto web site) - Crops engineered to produce their own insect killing toxins do not repel all pests, so farmers must spray for non-target insects even when using GM varieties, and chemical use creeps up year on year

according to the USDA. Furthermore, putting chemicals into plants is not avoiding them, just moving them.

- "Today, biotechnology holds out promise for consumers seeking quality, safety and taste in their food choices;...and for Governments and non-Governmental public advocates seeking to stave off global hunger, assure environmental quality, preserve bio-diversity and promote health and food safety." (Monsanto web site) – Such claims are difficult to substantiate for US consumers, where the US Environmental Protection Agency (EPA) does not require any feed studies on GM crops or any proof of safety. Indeed Monsanto is finding its suppression of the mounting evidence of health risks from GM foods increasingly difficult, as courts from South Africa to Germany to India demand damaging studies be published and advertising claims be substantiated (see *Thin Ice* 8).

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Get active

EU Environment Commissioner Dimas is opposing the cultivation in Europe of 2 new GM maize crops (both Bt: Syngenta's Bt11 and Pioneer/Dow's 1507) because of the risk posed to the environment.

Both crops are already approved for import. There is likely to be resistance from other parts of the Commission. We need to make sure that protecting the environment comes before industry interests and that the Commission agrees a strong position against cultivation.

An email action to push for this is at www.greenpeace.org/international/getinvolved/support-dimas-on-maize.

You can add your name to the 35,000 already opposing the introduction of these crops.

Now for the bad news

After our good news edition, we thought it would be helpful to highlight the need to keep on fighting the spread of GM food and crops worldwide. Big business and compliant Governments are still keen to promote GMOs, as these pages show, but we also know that most people still reject the failing technology, and there's much we can do to build on past success. Courage!

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The benefits of biotechnology

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Court cases in the US also continue to wrong foot the company (see Thin Ice edition 8), including a recent finding by three Federal courts that the US Drug Administration (USDA, the medicines regulator) broke environmental laws by permitting Monsanto and others to grow pharma crops in corn and sugar. Hawaii's Judge J. Michael Seabright found USDA acted in "utter disregard" of the law. In addition, the USDA's own inspector general attacked the USDA for failing to adequately regulate field tests of GM crops, including being unaware of the location of field test sites the agency is required to inspect.

And if Monsanto's European cheerleader thinks we need better education about his products, why is his company fighting tooth and claw in the US to stop farmers labelling their milk as being free from the GM hormone they produced by combining bovine DNA with E. coli? The company has called such labels "misleading", "deceptive" and "false", claiming they lead consumers to believe milk from cows injected with the hormone is inferior in some way.

Monsanto's rBGH, marketed as Posilac, is injected to increase milk yield per cow, but it has also been linked to mastitis, failures to conceive, lameness and tumour promotion (the reason for it being banned in Canada, Europe, and Japan). The risk to human health is still being debated. Monsanto's claims that, "... the use of rBST has no harmful effects on cows," is dubious at best as Monsanto's own package insert for Posilac lists 16 different harmful conditions it increases in cows. US farmers and dairies who refuse to use the hormone have been printing pledges to this effect on their product labels. Major supermarket and restaurant chains have switched to rBGH-free milk, and California Dairies, which produces 8% of the US milk supply, asked its 650 members to stop using rBST by August 2007. Monsanto are not best pleased.

They secured the sacking of two Fox News reporters who tried to cover the story in 1997. Not content with the persistence of rBGH-free labels, they wrote to the US Food and Drug Administration (FDA) and the Federal Trade Commission (FTC) in February

2007 demanding the agencies "publish a clearer, stronger guidance addressing the types of labelling practices that currently dominate the marketplace." Not one to normally complain about markets being dominated, or indeed to seek increased regulation, Monsanto have told the FDA, "It is in the public's interest that such (labelling) practices be confronted, addressed, and stopped."

The FTC rejected the claim that such labels are misleading.

Undaunted, Monsanto pushes on, buying up thousands of acres in Hawaii to test GM crops, where it is now almost impossible to produce an organic papaya due to GM contamination and prices have plummeted as Japanese and Korean markets retreat. The US Department of Justice approved their wish to buy Delta and Pine Land, who sell over half the world's cotton seed, despite a threatened farmers' boycott and sharp criticism from Senators that US anti-trust laws should have prevented such a move when cotton seed prices have gone up 240% since 1995 and one in five US cotton farmers went bankrupt between 1997 and 2002.

Monsanto, who have long resorted to court action against farmers they believe were growing their seeds without a license, has also turned its attention to academics. Two Iowa State University professors accused the company of stealing their soya bean patent. A settlement was reached in September under which Monsanto can develop current and future versions of the soya under commercial licence and Iowa State University gets a research licence for a RoundUp-resistant soybean variety.

Then there's the bribery charges.

In March 2007 the US Securities and Exchange Commission [SEC] formally alleged that Monsanto's Government Affairs Director for Asia oversaw an Indonesian consulting firm bribing an Indonesian Ministry of Environment official to the tune of \$50,000 to repeal a decree that all new biotechnology products must undergo an environmental impact assessment before they could be cultivated.

Not for the first time, as it turns out, as the SEC had also moved against Monsanto in 2005 over US\$700,000 of

illegal or questionable payments to some 140 Indonesian Government officials and their families, "violating the anti-bribery provisions of the Foreign Corrupt Practices Act (FCPA)...". In that case the money was alleged to have come from a fictitious product registration scheme run by two Indonesian companies owned or controlled by Monsanto. Monsanto cooperated with the SEC in investigating the case, and avoided prosecution in exchanged for paying a "\$1 million monetary penalty" and retaining an "independent compliance expert" for three years to ensure such violations would not occur again.

That compliance period is due to end just after the conclusion of the US\$1.5 billion buyout of Delta & Pine Land.

Monsanto may not be the only players in the international GM game, but increased scrutiny due to its now notorious reputation does help shine light on how such business gets done. In September they announced their aim to triple the global acreage under its GM seed.

Stay in touch! If you don't normally receive this quarterly newsletter and would like to, please send £5 (to cover costs), made payable to GM Freeze at the address below.

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The GM Freeze campaign is calling on the Government for a Freeze on:

The growing of genetically modified plants and the production of genetically modified farm animals for any commercial purpose.

Imports of genetically modified foods, plants, farm crops and farm animals, and produce from genetically modified plants and animals.

The patenting of genetic resources for food and farm crops.

International round up

United States

In May the US Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) approved Ventria's rice containing human proteins in Kansas. Federal Drug Administration (FDA) approval is not required for planting to begin. A notice in the Federal Register states, "Based on the finding of no significant impact, [APHIS] has determined that an environmental impact statement need not be prepared for these field releases."

The beleaguered USA Rice Federation expressed its disappointment with the decision. 20,000 citizens, scientists and organisations objected to the decision, citing the risks of tornadoes, floods and other natural disasters spreading the GM traits to other rice supplies. The Center for Food Safety, who had just released a report questioning the need for such a crop in the first place, said, "These rice-grown drugs are unapproved by FDA, may be hazardous, and whether hazardous or not could cause huge economic losses to Kansas farmers whose wheat, soy or other crops become contaminated with drug rice." Kansas Rural Centre said, "This just represents an unconscionable food safety complication in a food-producing region."

European Union

In an apparent attempt to permit supply to dictate demand, EU Agriculture Commissioner Mariann Fischer Boel has said that the EU should speed up its approvals of GM crops in order to avoid problems with big exporting suppliers like Argentina and the US. Shipments of maize feed have dropped in an effort to avoid GMOs approved in other countries but not in the EU.

Repeating the myth that feed is in short supply – in contradiction to the European Commission's (EC's) own findings that there is sufficient maize in the EU – Ms Fischer Boel told a conference, "Many of our trade partners have a different perspective on GMO regulation from ours." Sadly, rather than support the wishes of the majority of Europeans who simply do not want GM, Ms Fischer Boel's approach appears to favour using so-called "asynchronous approval" (whereby producers' approval of GMOs effectively forces approval by importers) to create a market for the unwanted crops here.

The Road to Seed Contamination?

Seed free from GM contamination is essential if the right to GM-free food and feed is to be maintained. In May, after several years of silence, the EC re-started the process for setting a GM seed threshold by quietly posting an ambiguous on-line multiple-choice questionnaire. The exercise assumed a level of contamination was inevitable and the only way to proceed was to set a GM threshold below which seeds would not be labelled and would therefore be classed as non-GM. Many key organisations in the debate, including GM Freeze, found out about the questionnaire from third parties.

Previous attempts to address GM thresholds in seed aimed to ensure that the final product sold to consumers or farmers was below the GM labelling threshold of 0.9% by suggesting seed thresholds of 0.3% for oilseed rape and 0.5% for maize and beet. These proposals met with fierce opposition from many critics who pointed out that such "planning in" of GM contamination could not be described as accidental or adventitious, as required by law, and therefore the crops would automatically have to be labelled GM on harvest. English Nature (now Natural England) called for zero contamination in oilseed rape, warning that a 0.3% threshold could lead to development of oilseed rape volunteer plants resistant to several herbicides, thus requiring more toxic products to be used to control them.

Originally, the EC wanted response to the questionnaire posted in four weeks, but after complaints this was extended. Further criticism was aimed at the nature of the questions, which were written in such a way as to make it very difficult to decide which box to tick to ensure your answer supported a zero tolerance policy on GM contamination of all seeds. In addition, space for additional comments at the end of each section was limited to one or two sentences.

GM Freeze completed the questionnaire to register our opposition to the EC proposals as part of a long campaign to keep seeds free of GM contamination and protect the environment, health and the right to choose non-GM food.

United Kingdom

In September an operation by trading standards officials in York revealed that a

quarter of caterers are using GM oil and 94% of them are selling it unlabelled in violation of the law. The Head of North Yorkshire Trading Standards said, "Any consumers who are at all concerned regarding the inclusion of GM food should specifically ask the caterers when ordering their food whether it is GM, or sourced from a GM origin. The law requires the owner to provide an honest answer."

While official surveys such as this are rare, GM Freeze knows that York is not alone, as supporters report seeing GM oil drums outside restaurants who do not list GM ingredients on their menus as the law requires. If you discover such practices in your area, please make a complaint to your local Trading Standards office, ask them what they will do about it, and follow up with them until action has been taken. See www.gmfreeze.org for briefings on labelling and monitoring enforcement activity in your area.

France

In September Le Monde reported that the Government are poised to announce a freeze on commercialisation of GM seed. While the Government says it has not made any official decision, the Environment Minister said, "Everyone is in agreement on the GM issue: it is not possible to control their spread. So we will not take the risk." The Secretary of State for Ecology added, "The question of a moratorium is being actively discussed and envisaged, but the word covers different legal realities: on growing, on trials in open fields, on this or that GMO, by non-renewal of authorisations, etc. Nothing is yet definite."

New authorisations would be refused from the time the law is passed, and a new High Authority on Biotechnology created to advise the Government on new GMOs, integrate a more stringent toxicological analysis and oversee examination of the social and economic interests to counterbalance the current "one-sided evaluation" process. Only MON 810 maize is currently grown in France, and on less than 1% of French farm land, and even this requires renewed authorisation in 2007. The new law would also introduce responsibility for contamination and a public register of GM cultivation applications, with coexistence based on the principle that, "There must not be pollination of organic fields by GMOs," according to a Senator working on the issue.

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Sensing trouble, a spokesperson for the EU Environment Commissioner waded in the next day to announce that "a general ban is not possible" under EU law. Cereal farmers accused the democratically elected Government of "caving in" to public pressure. If only the UK Government were so "weak"...

Australia

The debate is running hot in the face of the Government lifting bans on GM crops like oil seed rape in favour of "coexistence". In May anti-GM campaigners revealed that the panel established by the Government to examine the ongoing ban on GM oil seed rape was "neither independent nor expert," but rather stacked with, "keen supporters of GM crops and food who have promoted it for many years." The comments, from the Director of Gene Ethics, included noting that none of the panelists have trade or marketing experience, the stated focus of the review. "The panel has no expert capacity or experience to consider the impact of commercial GM canola release on producers and exporters," he said.

A farmer from the anti-GM lobby group the Network of Concerned Farmers questioned the foundation of the Victoria Farmers' Federation's push to lift the GM ban, saying he does not believe it has community support. "As far as I know there's been no questionnaire sent out to people, there's been no independent survey done of farmers to see whether they have changed their attitudes from between 70% and 80% of those who said they wanted a moratorium," he said.

Trials for wheat were approved, but trials for oil seed rape were thrown into confusion when no GM company would supply the trial with seed. The Network of Concerned Farmers (Western Australia) claimed the refusal to supply seed was an admission that the trials would reveal GM offered nothing better than the varieties already used, adding, "The GM companies are obviously afraid that the truth would be revealed with independence performance trials."

India

In September the Ministry of Environment and Forests exempted from regulatory approval all foods whose end-products are not Living Modified Organisms (LMOs) - living organisms that can be used to propagate or reproduce, like in seeds. This overturned the previous requirement for

all GMOs to be approved by the Genetic Engineering Approval Committee (GEAC), who stated their remit is "environmental safety". The Gene Campaign said, "This is introducing a new set of laxity in the system and violates our own laws. This will mean that there will be no traceability and in case there is a problem, there is no way liability can be fixed. This is not desirable at all."

Kenya

Africa Harvest Biotech, and its CEO, the Monsanto-trained Florence Wambugu, conduct pro-GM projects funded by Monsanto, Dow, Novartis, AgrEvo, Bayer, BBSRC, Cargill, Pioneer and Syngenta. They are supported by CropLife International, a well-known pro-GM lobby group for companies including BASF, Bayer, Dow, DuPont, Monsanto, and Syngenta. Wambugu toured the world touting a sweet potato project that completely failed. She's been accused in a study by a University of Edinburgh African Studies specialist of inventing a "crisis narrative" to claim that banana yields in Kenya are declining due to pests and that only her "biotech" bananas can save the situation, when the available evidence points to a completely different reality. The Bill & Melinda Gates

Foundation recently granted a consortium led by Dr Wambugu nearly US\$16.9 million to develop a GM sorghum.

Now she wants us to believe that Kenyans are now "ready to embrace genetically modified foods" in line with their "media outreach" work in Africa "to empower the continent with factual information on biotechnology". Kenyans aren't so sure.

Africa Network for Animal Welfare (ANAW) works closely with the grassroots communities. They are currently working on GMOs with more than 40 other organisations under the auspices of the Kenya Biodiversity Coalition helping coordinate a campaign against a new Biosafety Bill that would introduce and commercialise GMOs in Kenya – an important country that could provide an easy entry for GMOs into the rest of Africa. They say the Bill is being rushed through parliament: the first reading was on 26 July 2007. Public protests by ANAW successfully delayed decisions until January 2008 at the earliest.

ANAW are appealing for funds to help publicise the Bill and mobilise public opposition to kill this bill. If you would like to contribute to their campaign, please contact Josphat Ngonyo, ANAW Director, at jos@anaw.org.

Shifting UK GM Policy?

Results of the Spring elections around the UK could foster a substantial shift in GM policy.

In Wales the previous Labour administration's policy, followed a unanimous vote in the Welsh Assembly in 2000 to keep Wales GM free, aimed to protect the Welsh countryside from the impacts of GMOs. The Plaid Cymru/Labour coalition Government (formed after the 2007 elections) has made "a commitment to maximum restrictions on GM crops".

In Scotland the SNP Government has set out a clear policy: "The Executive's intention is to maintain a moratorium on the planting of GM crops in Scotland. GM crops are not grown in Scotland and we believe this respects the wishes of Scottish consumers who want local, high-quality produce. Scotland has a wonderful and varied environment, rich in biodiversity and we do not wish to jeopardise this."

The revitalization of politics in Northern Ireland may yet produce similar policies. In the past both parties in the power sharing agreement (United Ulster Unionists and Sinn

Fein) have expressed anti GM sentiments. In addition, there is also a new coalition Government in Eire, where momentum is building behind the campaign to make all of Ireland GM-Free (see <http://www.gmfrireland.org/> for developments).

The prosperity of agriculture in these countries depends upon producing high-value products which are in demand – GM-free food would be one obvious choice. However, any moves to prevent planting GM crops could be impeded by a concordat signed by Defra and the previous administrations shortly before the elections. This substantially weakens the ability of the devolved Governments to influence UK policy in the EU.

The new devolved Governments may find that the first test of their policies will come over Defra's laissez faire approach to GM contamination of crops and "coexistence". UK policy on the GM contamination of seeds in response to new EC proposals, expected soon, will further test the hastily concocted concordat.