

# Thin Ice



the GM Freeze Campaign newsletter

Issue 21, April 2011

## ISAAA: What they forgot to mention

In February the GM industry's annual International Service for the Acquisition of Agri-biotech Applications (ISAAA) report issued a renewed series of impressive-sounding statistics, but as usual what they left out sheds important light on their claims. For example the ISAAA reports:

- *“strong double digit-growth of 10% in hectareage”*: but this is still only 3% of global agricultural land, so the vast majority of the world's crops are non-GM, and 70% of the claimed growth was in just three countries already committed to GM crops (USA, Brazil and Argentina). In the EU seven Member States maintain bans on Monsanto's GM maize for environmental protection, and less than 0.06% of European fields are planted with GM crops – a decline of 23% in two years including Spain's 10.9% reduction in 2010.

- *“three countries, the Czech Republic, Sweden (the first Scandinavian country to plant a biotech crop), and Germany planted small hectarages of ‘Amflora’ potato totalling 450 ha”*: however immediately after planting Swedish authorities summoned BASF to explain the crop's contamination with unauthorised GM Amadea, three countries banned it outright, and France, Poland, Hungary, Austria and Luxembourg are suing the Commission in the ECJ over the crop's authorisation. (see TI 17, 18

### The China Soybean Industry Association reported a boom in non-GM soybeans

and 19) Amflora plantings for 2011 will be 17 ha (two in Germany and 15 in Sweden), and BASF announced it will discontinue provision of material for the starch industry in 2011.

- *“the lead developing countries [growing GM] are China, India, Brazil, Argentina and South Africa”*: however in February Argentina's Santa Fe judiciary banned spraying agrochemicals in urban areas to protect health, and in March a court upheld a 2010 injunction on spraying pesticides within 1,000 meters of housing (2,000 meters if by air) and near waterways. The rulings establish a legal basis for questioning the wider GM soy model, reliant as it is on spraying glyphosate on vast monocultures. China's State Council said GM seeds will not be a priority for at least five years as, “China will breed its own high-yield seeds and set up large seed companies to help ensure the country's food security in coming decades,” and the China Soybean Industry Association reported a boom in non-GM soybeans on the back of demand from the food processing industry at home and abroad. India

maintains its ban on GM brinjal (see TI 17), and a political row escalates over the legality of authorisation for GM trial sites. In Brazil the state-lead Brazilian Agricultural Research Corporation (Embrapa) launched a major non-GM seed production initiative to meet market demand for the crop and its premium price.

- *“in Australia, biotech crops recovered after a multi-year drought with the largest proportional year-on-year increase of 184%”*: and the promised safety from GM contamination evaporated with one farmer being stripped of his organic status after wind-born contamination and a second reporting contamination after floods.
- *“Mexico, the center of biodiversity for maize, successfully conducted the first field trials of Bt and herbicide tolerant maize”*: but in January the Government refused Monsanto permission to extend those trials saying additional studies are needed to determine the effects on native corn species, and two States passed laws protecting native species from GM contamination.

The ISAAA is also silent on the question of the impact on GM crops on prices. Long touted as necessary to keep food prices down and feed a growing world population, GM appears to be failing. In the US wholesale food prices are at an all-time high despite GM cultivation, with maize prices up

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**“Resistance is a natural thing ... It's great technology, but think of Roundup Ready as taking a pill rather than doing your exercise.”**

**Dwayne Beck, researcher at the Dakota Lakes Research Farm in South Dakota.**

# INTERNATIONAL ROUNDUP

## Africa

### Kenya

In March the *Daily Nation* reported a diplomatic cable published by Wikileaks revealed how the US used financial inducements and technical expertise against grassroots activists to “speed up and overcome opposition to” the country’s 2009 Biosafety Act. In the cable the US Ambassador to Kenya explains, “A USAID-funded Programme for Biosafety Systems created linkages among key national institutions, thus building support for the Bill among policy makers and biosafety regulatory agencies,” adding the programme also provided technical regulatory support to facilitate GM field trials, with seeds provided by US companies. For example a 2008 conference on biotechnology featuring Monsanto, believed to be the largest ever held in Africa, was funded by USAid and USDA.

### South Africa

In January the first report from the South African Biodiversity Institute, legally responsible for monitoring the impacts of GM in the country, reported that a three-year study of MON810 on the

environment revealed insect resistance was already emerging in the country’s most important maize growing area and that using refuges to manage this was proving insufficient. The report also knocked the doctrine of “substantial equivalence” by revealing that at molecular level the size and expression of certain proteins differs between GM and non-GM maize, and that Monsanto’s Bt gene differs significantly in size to that occurring naturally.

## Americas

### USA

In January the Oregon Department of Agriculture Director wrote to Scotts Co asking them for a written eradication plan for their escaped GM bentgrass, adding, “After the existing sites are taken care of, we’d like to discuss a Scotts-funded survey of other high-risk areas in Oregon.” The Roundup Ready grass, designed for golf courses, continues to spread along canals and waterways after escaping from trial sites. (see TI 20) One person helping identify the escapees said, “It is in every single drain ditch.” Only one chemical is approved for use on the GM grass, but it cannot be used near

water, where the grass thrives. By mid February Scotts Co had not responded to authorities.

In February the USDA approved Syngenta’s new Enogen GM maize, designed to improve efficiency in ethanol production, amid strong protests from millers and a food industry afraid contamination of food crops will produce what the American Miller’s Association (AMA) called, “significant adverse impacts on food product quality and performance.” The AMA recalled Syngenta’s own data showing one Enogen corn kernel in 10,000 conventional kernels could be enough to interfere with food processing, lead to recalls and disrupt exports. Syngenta said it would take measures to prevent the new GM maize entering the food supply even though it is approved for food use, and it would convene an advisory council to consider research needs. The Center for Food Safety said it was preparing to sue because the USDA did not prepare the required Environmental Impacts Statement prior to approving the crop. Food allergists say Syngenta’s assessment of potential allergenicity was inadequate, agronomists fear unharvested corn will contaminate soil with industrial enzymes that adversely affect soil carbon cycling and one grain merchant suggested it would have been useful to convene Syngenta’s research council before allowing unrestricted planting.

Also in March a Jury ordered Bayer to pay US\$136.8 million – a record award for an Arkansas court – for its contamination of US rice supplies with its experimental GM variety. (see TI 13, 16, 17 and 20) When questioned about Bayer’s containment practices during for experimental varieties and the escape, the company’s then US rice breeder and development manager said of the contamination, “It happened, but we don’t know how.” Bayer reported an unexpected fourth quarter net loss of 145 million euros (compared with a 153 million euros profit in the same period of 2009), blamed in part on the costs of US legal proceedings.

## Australasia

### Australia

Monsanto appears to have reversed its position on financial involvement in the contamination incident that saw a

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## ISAAA: What they forgot to mention

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90% in the past year and the cost of producing finished food showing the steepest increase year-on-year since 1974. The USDA forecasts hikes of 3-4% in consumer food prices in 2011, possibly more. The World Bank reported an 83% rise in food prices from 2005 to 2008, estimating this pushed an additional 100 million people into hunger and poverty. Global shortages also lead cotton prices to hit a record high in February, jumping 150% since the beginning of 2010, with knock-on effects for mills and merchants.

If the ISAAA is right and more GM is being grown than ever before, it only goes to show that weather events, speculation and market preferences have bigger impacts than the technology can mitigate. The UN

agrees.

In March the UN Special Rapporteur on the Right to Food, Olivier de Schutter, issued a report showing that small-scale, largely organic farms with a high biodiversity can double crop yields in 3-10 years. Unlike chemical dependent “conventional” farming, the study showed an agroecological approach boosted production by 80% in 57 developing countries, cost less, reduced pollution and improved depleted soil. De Schutter said, “It [conventional agriculture] is simply not the best choice anymore.” He said of agroecology, “It becomes essentially more affordable for poor farmers to farm because they will have to invest much less in order to buy the inputs they need.”

# GM REGULATION UPDATE

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Western Australian farmer stripped of his organic status last year. (See TI 20) That farmer is now taking legal action against his neighbour as the source of the GM contamination. Contrary to its previous position, a Monsanto spokesperson now says the company will not offer any legal or financial support to that farmer in the case.

## New Zealand

A controversial animal research facility closed amid reports that only 10% of the animals it created survived trials. Information released under the Official Information Act showed work to clone and genetically engineer animals was ended due to unacceptably high death rates caused by chronic arthritis, pneumonia, lameness and blood poisoning in cloned cattle, sheep and goats. The company's applied technologies manager said they had studied prevention of abnormalities in cloned animals for 13 years.

## Europe

### UK

In March Welsh scientist Dr Brian John's petition for an official investigation into "in-built pro-GM bias" in EFSA met with unanimous support from the European Parliament's Petitions Committee. Dr John says EFSA is composed entirely of scientists from research labs in university departments studying GM, producing "major problems in the GM assessment and approvals system". EFSA had no comment on the Committee's action, but a spokesperson said they have robust procedures to ensure independence of advice.

Meanwhile the European Network of Scientists for Social and Environmental Responsibility (ENSSER) challenged the legality of EFSA's proposals for an overhaul of GM risk assessment. In a letter to DG Health they wrote, "ENSSER believes that this alteration of the GMP ERA process will lead to a situation in which risk assessors make use of the obsolete "concept of familiarity" (eg, "a reformulation of the concept of 'substantial equivalence'") to declare significant differences between a GMP and its parents as 'irrelevant' before an ERA on exactly these differences is conducted...EU legislation as well as Codex Alimentarius Guidelines reject the concept that the test on substantial equivalence can serve as safety assessment in itself."

## EU – devolved cultivation

(see TI 15, 16, 19, 20)

The Commission produced the promised list of grounds Member States might use to ban GM cultivation, but reports from the March meeting of Member States indicated continued concern about the legality of the proposal and the legal security offered by the Commission's approach, including from The Netherlands.

France, Italy, Greece and others also called for full implementation of the Council's 2008 recommendations before proceeding. Austria and the UK questioned using "public order" as grounds for a ban. The Germans reject the proposal outright. Progress for the Commission's proposal remains uncertain.

## US – Sugar Beet cultivation

(see TI 19, 20)

In February a US appeals court reversed the lower court order demanding the destruction of GM sugar beet specklings planted last year with USDA permits issued in defiance of a court order. The preliminary decision is part of a wider case about the legality of the deregulation of the crop without the required Environmental Impact Statement.

Farmers are heavily dependent on Monsanto's beet seed because of their market dominance – the government estimated that sugar production could drop as much as 21% if growers had to rely on the limited supply of conventional seeds. Growers will be required to comply with special growing conditions.

## US – Alfalfa cultivation

(see TI 13)

In January the USDA announced it will allow unlimited commercial planting of Monsanto's GM Roundup Ready (RR) alfalfa despite the risks identified in its own Environmental Impact Assessment and the lack of liability measures to protect non-GM farmers, who now bear the full burden of preventing contamination from other farmers' crops of the prolific pollinator.

The Center for Food Safety said they would take the decision back to the courts, calling the USDA a "rogue agency" that "clearly was not listening to the public or farmers but rather to just a handful of corporations" after over 200,000 public objections were submitted. Alfalfa covers some 7% of US cropland (about 20 million ha), offering a huge potential market for Monsanto.

Critics point out that an RR alfalfa is of questionable use when 93% of US farmers do not use herbicides to control weeds in the crop, the GM seeds costs twice as much as conventional varieties and other RR crops face resistant weeds within a few years. Geographic restrictions on planting were considered but rejected for unknown reasons.

# RTRS – Measuring responsibility

**T**he Roundtable on Responsible Soy (RTRS) aims to launch its first line in May, but critics question the ethics behind the grouping as leading multinationals faced charges including human trafficking and tax evasion.

In January Dutch giant and RTRS member Nidera was charged by Argentinian authorities with offences including allegations they held people in agricultural labour camps when they did not know where they were and were not permitted to leave, had no electricity or water, and whose cash-in-hand wages were heavily cut by extortionate charges for company-provided supplies, including pasta from the Ministry of Social Development that are illegal to sell. Seven Nidera executives were reportedly arrested and the company was fined US\$166,000.

The courts in Argentina estimate that there are at least one thousand people in similar conditions in nearby plantations. In February news emerged that Argentinian authorities had revoked favourable tax status for Pioneer (although not an RTRS member, a subsidiary of seed giant DuPont), as well as charging the company with human trafficking and keeping workers in slave-like conditions at labour camps for deflowering maize.

## Arizona not-for-profit Community Law Services filed a federal lawsuit against RTRS member Monsanto on behalf of 16 migrant workers

In February Arizona not-for-profit Community Law Services filed a federal lawsuit against RTRS member Monsanto on behalf of 16 migrant workers, including a 13-year-old boy, for egregious employment practices in violation of the Federal Migrant and Seasonal Agricultural Workers Protection Act. The attorney alleges Monsanto hired the workers in June 2010 to detassel corn promising free transport and housing with agreed wages. The lawsuit claims that when they arrived for work in Indiana (over 1,500 miles from home) housing was substandard and they were not provided with proper equipment for work, leading to injury. It also claims workers were not paid for weeks, leaving them with no way to get food, and when they were paid it was not at the agreed rate. The workers are seeking statutory and compensatory damages, as well as injunctive relief against Monsanto to prevent future violations.

The RTRS says its mission is

to, “Encourage current and future soybean is produced [sic] in a responsible manner to reduce social and environmental impacts while maintaining or improving the economic status for the producer.” How these principles will be applied when they don’t appear to hold for all members when it comes to maize production in the same countries remains to be seen.

In March Sainsbury’s announced its membership of the RTRS, joining other UK supermarkets Asda, Marks and Spencer and Waitrose.

## Get Active

**A late change in the French vote produced the required qualified majority in favour of the Commission’s proposal to end Europe’s zero tolerance to unapproved GMOs in animal feed at the Standing Committee on the Food Chain and Animal Health on 22 February. (see TI 16, 20) The move introduces a 0.1% threshold provided the GMO in question has been approved in the exporting country and a valid authorisation application is held by EU authorities.**

The Parliament and Council now have three months to scrutinise the proposal, so it’s a good time to write to MEPs to protest and remind them:

- we don’t want unnecessary, unapproved GMOs in the food chain, and
- the legal opinion sought by from Achim Willand Friends of the Earth found: “The way that the European Commission is attempting to change Europe’s current laws governing GMOs would not be legal.”

There’s more advice and background at [www.gmfreeze.org/page.asp?ID=472&iType=1083](http://www.gmfreeze.org/page.asp?ID=472&iType=1083), and please send all replies to [coordinator@gmfreeze.org](mailto:coordinator@gmfreeze.org).

## 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.

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