

Farmers Successfully Practice Coexistence

USDA must base its decision to deregulate GE alfalfa on science and within its existing statutory authority



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The U.S. Department of Agriculture, in considering whether to deregulate genetically engineered (GE) alfalfa (known as "Roundup Ready" or "RR" alfalfa), has proposed an approach that would defy scientific precedent and legal authority.

By considering a proposal to deregulate alfalfa with restrictions, USDA would be basing a regulatory authorization on a socio-economic consideration rather than a science-based consideration. This would be contradictory to its science based conclusion that GE alfalfa is safe and not a plant pest.

Such a proposal would burden the majority of U.S. growers by eliminating "farmer choice" and dictating what crops can be grown and where.

USDA Would Be Exceeding Regulatory Authority

To address its procedural responsibilities under the National Environmental Policy Act (NEPA) with respect to alfalfa, it appears that USDA is attempting to regulate coexistence under a statute, the Plant Protection Act (PPA) that is not only ill suited, but legally incapable of so doing and, in the process, exceeding its statutory authority.

When USDA determines that a crop is unlikely to pose a plant pest risk, as has occurred with RR alfalfa, USDA does not have authority to impose any special conditions when deregulating it.

USDA Must Deregulate GE Alfalfa Without Conditions

BIO is calling for the Secretary of Agriculture to deregulate genetically engineered alfalfa **without conditions** as soon as possible to enable America's alfalfa farmers to have access to GE alfalfa seeds in time for the spring planting season.

Farmers practice coexistence successfully across the country. Even in the case of alfalfa, the alfalfa seed industry has in place successful stewardship practices that allow the industry to meet all market demands.

The U.S. Government Must Protect our Existing Science-Based Regulatory System

The U.S. regulatory system has a twenty-five year track record of thorough and science-based review of agricultural biotechnology products. This system has brought significant benefits to farmers, consumers and the environment without any evidence of adverse effects to health, safety or the environment.

U.S. Farmers Must Remain Competitive

We can't subject American farmers to the same paralyzing effects as those imposed on European growers through the adoption of so-called "precautionary" principles, which are not based on science. Without new technologies, U.S. farmers will lose their competitiveness in the global market.

SUSTAINABILITY

through Agricultural Biotechnology



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forests, controlled sources and
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Agricultural Research and Investment Would be Hindered

- USDA's failure to deregulate agricultural products derived from modern biotechnology in a science-based and timely manner is already having a detrimental effect on investment, and risks moving high-paying jobs and research overseas.
 - Timelines for deregulation and granting research permits have grown tremendously resulting in significant costs to private and public sector researchers.
 - When the plant biotechnology industry submitted its first products for authorization, USDA granted authorizations in a relatively expedient fashion – 141 days, on average, in 1996. Currently, 23 products await deregulation, with an average wait of 1,072 days.
 - Companies and researchers are taking projects to other countries because of the uncertainty in our regulatory system and the length of time it takes to get products deregulated in the United States.

The U.S. Agriculture Sector Would Be Impacted Negatively in the International Arena

- The United States is the leading exporter of food and agricultural products in the world, maintaining a substantial trade surplus driven primarily by sustained productivity growth. It's important to our U.S. economy that our agriculture industry remain viable.
- Changes in America's agricultural biotechnology policy such as those suggested by USDA would undermine U.S. international trade interests and long-standing positions and obligations of the U.S. government in the World Trade Organization, International Plant Protection Convention and Biosafety Protocol.
- In addition, a change in USDA policy risks other countries making similar changes in their regulations putting at risk approximately \$40 billion in U.S. agricultural exports.

COEXISTENCE: A History of Success Among Growers

- American agriculture has an impressive track record of successfully addressing the economic and market-based issues associated with coexistence, whether neighbor-to-neighbor or through state seed certifying agencies or other local, state or regional initiatives.
- In the field of agricultural biotechnology, growers have worked closely with the seed industry to meet their respective stewardship obligations through contractual arrangements and other mechanisms. That is where matters of coexistence and stewardship are addressed most effectively and efficiently.
- The National Alfalfa and Forage Alliance (NAFA) developed its Best Management Practices for Roundup Ready Alfalfa Seed Production in 2008. NAFA has also taken the lead in providing coexistence documents for alfalfa hay export markets, alfalfa seed export markets and organic alfalfa seed and hay markets. (<http://www.alfalfa.org/CSCoexistenceDocs.html>)
- Not one organically certified farm has lost its USDA certification due to the presence of commingled biotech plant material since the beginning of the federal National Organic Program.
- In fact, the organic agriculture sector has continued to grow and prosper along with the biotech sector.
 - The United States had less than a million acres of certified organic farmland in 1990, which grew to more than 4.8 million acres (2.7 million acres of cropland and 2.1 million acres of rangeland and pasture) in 2008, according to the USDA; U.S. sales of organic food and beverages grew from \$1 billion in 1990 to \$24.8 billion in 2009.