Stacked in favor of Monsanto & Co.

Mar 30, 2013 by Linda Wells

Well, it's been signed. The biotech rider, or the "Monsanto Protection Act," as it has been appropriately dubbed, was signed into law last week by President Obama. What does this mean, and why is everyone so upset about it?

For me, this sneaky little earmark, which was introduced anonymously into the short-term funding bill to keep the government afloat, is just one more example of an unfair system stacked in favor of big agribusiness — and stacked against the rest of us.

The rider, Section 735, states that if the USDA has already approved a particular crop for market and then the courts order it off the market (possibly until further health studies can be done), the USDA "shall" issue temporary permits for use and sale of that crop until those studies are complete.

Huh? If the courts have ordered a crop off the market, why would we compel the USDA to allow its continued use?

According to Andrew Kimbrell with the Center for Food Safety,

> The word "shall" forces the USDA to continue allowing biotech crop cultivation even if its commercialization was overturned. They've taken away the discretion of the Secretary of Agriculture. Its real not-so-hidden purpose is to take away the ability to effectively vacate the approval of a crop that's been approved illegally.

Already broken system

Let's back up a second. It's important to note that this tug-of-war between the courts and the USDA has historical precedent — and Big 6 interests tend to win out.

In 2010, for example, a federal court in California ruled that the USDA had not adequately assessed potential environmental impacts before approving GE sugarbeets for market. The court effectively banned production until those studies had been done.

Facing a huge loss in seed sales, Monsanto petitioned the USDA to grant "partial deregulation," meaning that they could keep selling the seeds until the studies were complete. The USDA granted Monsanto's wish, and GE sugarbeets have been on the market ever since.

So, the context for this new legislation is a regulatory system that already prioritizes the quick approval of new GE technology over any potential concerns — like public health or the livelihoods of farmers who aren't buying what Monsanto and Dow are selling. It seems ridiculous that Congress would require the USDA to be even more hasty in approving seeds for market.

Not over.

The biotech rider, like the rest of the short-term funding bill, is only law for the next six months. But you can bet that the Big 6 have plans to make these changes permanent.

Unlike in other countries, the U.S. process for approving new GE crops is swift and easy. Monsanto and company want to keep it that way. Yet the battle over GE regulation is very much alive in this country — look at the proposed GE labeling bills popping up in dozens of states, coalitions of farmers opposing new dicamba-resistant crops, and all the buzz around this rider.

What do you think our regulatory system for GE crops and pesticides should look like? Instead of special treatment for the Big 6, let's demand real improvements in our food system, like finally updating farmworker protection standards and funding beginning farmers and local food production.

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