

National Office
2717 Wentz Ave.
Saskatoon, Sask.
S7K 4B6
Tel (306) 652-9465
Fax (306) 664-6226



national farmers union
In Union Is Strength

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SUPREME COURT DECISION SETS DANGEROUS PRECEDENT

SASKATOON, Sask – The Supreme Court decision on Monsanto vs. Schmeiser sets a dangerous precedent. It moves us further along the path where corporations will control seed and farmers will lose the right to save seed, said Terry Boehm, Vice-President of the National Farmers Union.

The Supreme Court ruled that Monsanto's patent gives the company control over seeds and plants containing its patented gene. This marks a departure from a previous Supreme Court judgment which questioned whether higher life forms were patentable (Harvard Mouse case).

"Increasingly stringent plant breeders rights, and strong interpretation of patent rights, as the court has done today, will cause farmers to lose ownership of seeds and ultimately become renters of corporate seeds," explained Boehm.

NFU Women's Vice-President Colleen Ross-Weatherhead said there are serious liability issues not addressed by the Supreme Court. If Monsanto's patent extends to the entire plant, then the company should be responsible for the contamination of crops and food by proliferation of their patented genetic material.

Boehm said there are extremely far-ranging environmental and social implications. The insertion of Monsanto's single gene, in the view of the Supreme Court, allows them to appropriate all the other genes, research, and development that nature, farmers and researchers have contributed over thousands of years to the development of that seed.

Unfortunately the court has not adequately considered the broader public interest issues, but has instead focused on a very narrow interpretation. Canadians have to decide whether genes or higher life forms should be patented.

"The Supreme Court has given their opinion on a point of law," observed NFU President Stewart Wells. "It is clear to us that the law is inadequate and does not protect individual farmers. It is now time to change the law."

A 5-4 split decision in the Supreme Court shows there is no unanimity on this issue, said Boehm. He added Canadians must apply pressure on politicians to ensure that farmers' fundamental, historic right to save seed is preserved.

"When a farmer plants a seed, he is planting hope – hope in the future, hope in a bountiful harvest," concluded Boehm. "He or she is not planting Monsanto's Roundup Ready gene or their patent. A seed can remain a bundle of hope, or it can become a tool of oppression."

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Contact: Terry Boehm, NFU Vice-President (306) 255-2880 or (306) 257-3689
Colleen Ross-Weatherhead, NFU Women's Vice-President (613) 652-1552 or (613) 213-1522
Stewart Wells, NFU President (306) 773-6852 or (306) 741-7694
Terry Pugh, NFU Executive-Secretary (306) 652-9465