

FARMERS' SEED AND CITIZENS' RIGHTS UNDER ATTACK BY CANADA EUROPEAN UNION PACT

(A GLOBAL CORPORATE BILL OF RIGHTS)

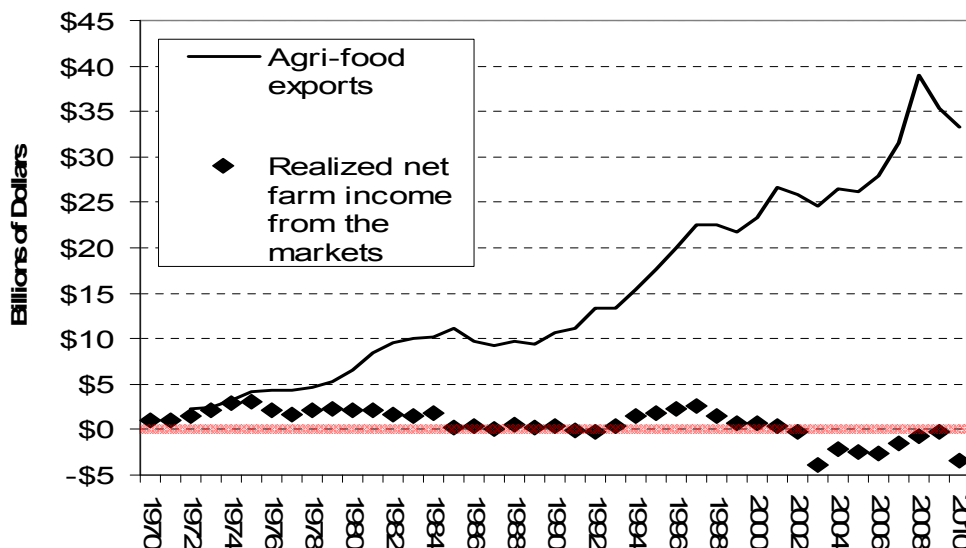
Farmers' and Citizens' rights are under attack by the proposed Canada-European Union (EU) Comprehensive Economic and Trade Agreement (CETA). Canadians hand over the right to govern their economic lives by their own elected bodies, to the European Union and the CETA agreement.

CETA colonizes Canada for global corporations. Canadians lose.

1. Farmer's ability to save, reuse, exchange, and sell seed is destroyed. Dairy, poultry and egg Supply Management and the CWB are at risk.
2. Using farm saved seed could cost you your farm. CETA enables corporations to obtain the precautionary judicial seizure of infringer's property (land, equipment, bank accounts) for *alleged* violation of intellectual property rights.
3. Prohibits government, municipal, school and hospital purchasing policies that favor locally grown or Canadian grown food.
Prohibits Govt. preferred hiring of locally owned businesses or services.
4. Prohibits Canadian federal, provincial, and municipal standards that exceed international standards.
5. Prohibits a Canadian province or territory refusal of a European product if it has been accepted by another province.

Canadians lose elected control over their agricultural and economic policies to global corporations and the European Union. Government policies of corporate concentration and trade agreements have created a farm crisis. Since the 1988 North American Free Trade Agreement (NAFTA):

- 80,000 farms have disappeared and rural communities are devastated.
- Exports have tripled but **farm debt has tripled to \$64 billion.**
- **Realized net income from the markets has been negative since 2002.**



In the CETA agreement specific articles affecting seed, food and farm support are:

FARMER'S AGE-OLD PRACTISE TO SAVE, REUSE, EXCHANGE AND SELL SEED, IS DESTROYED

The EU is insisting that UPOV 91¹ (Ar. 12 p.249)*, a restrictive patent-like framework for varieties of seeds, be included in CETA. The combination of intellectual property enforcement measures in CETA and UPOV are devastating:

- **Ability to save and reuse seed is subject to the interests of the rights holder.**

The corporate rights are so onerous and punitive, that the farmer's ability to save and reuse seed will be effectively extinguished.

The farmer only has an optional privilege to save and reuse seed that is easily overridden.

- **The farmer practise for thousands of years to save, reuse, exchange and sell seed is eliminated.**

Farmers need to be aware of the following:

- a) **For the last ten years, when farmers went to their bins to clean seed for spring planting, they should thank the National Farmers Union.**

The National Farmers Union has for over 10 years fought seed industry restrictions on farm saved seed and in 2005 successfully defended farmers rights when the federal government introduced legislation to implement UPOV 91.

- b) **UPOV 91 gives global corporations who own the plant breeders rights, the exclusive right to clean and store the seed.**

Farmers cannot clean and store a portion of their crop for seed without the explicit permission of the rights holder (UPOV Ar. 14.1.ii).

- c) **Intellectual property rights holders such as Monsanto, can obtain a judicial order for the destruction of the farmer's crops and implements.**

*The precautionary seizure of assets enables the financial destruction of a farm family for an **alleged** (not even proven in court) **infraction**. (Ar. 19 p.252)*. [Article 19 inserted by the European Commission].*

The removal and destruction of goods are "**at the expense of the infringer**" and **without compensation of any sort**" (Ar. 20 p.252)*. [Article 20 inserted by the European Commission].

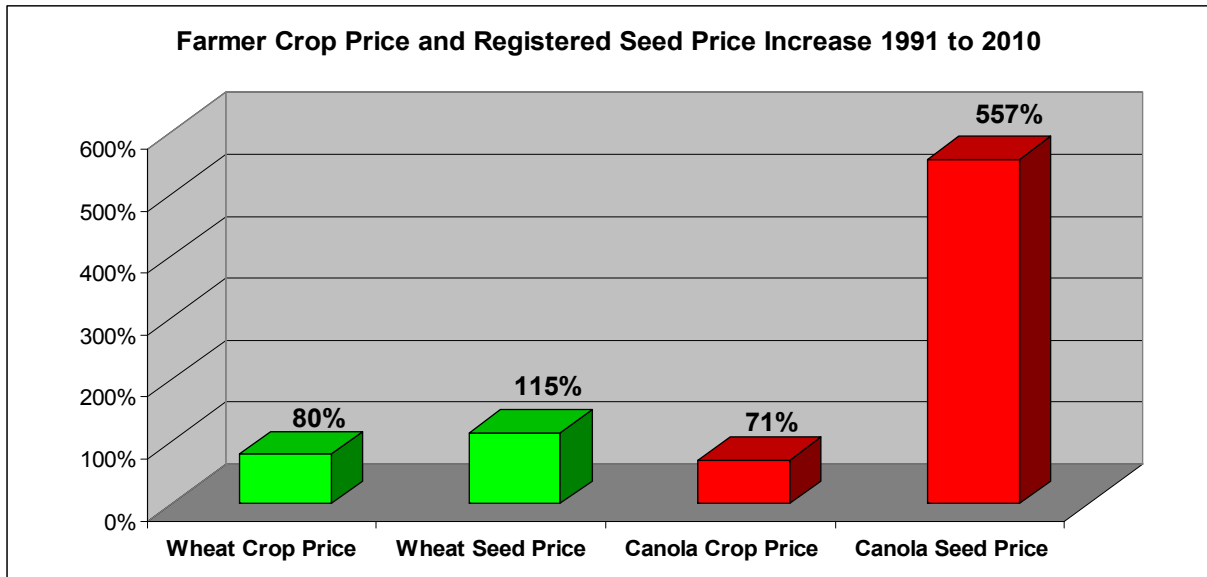
Monsanto has a track record of punishing farmers.

- As of Oct. 2007, Monsanto's average U.S. judicial settlement was \$385,418.² Many cases are settled out of court (unrecorded) because the farmer cannot afford the horrendous legal fees to fight the multi-billion dollar company.
- "Monsanto relies on a shadowy army of private investigators and agents in the American heartland to strike fear into farm country."³

- d) **Seed costs will rise – rights must be at least 20 years (UPOV 91).**

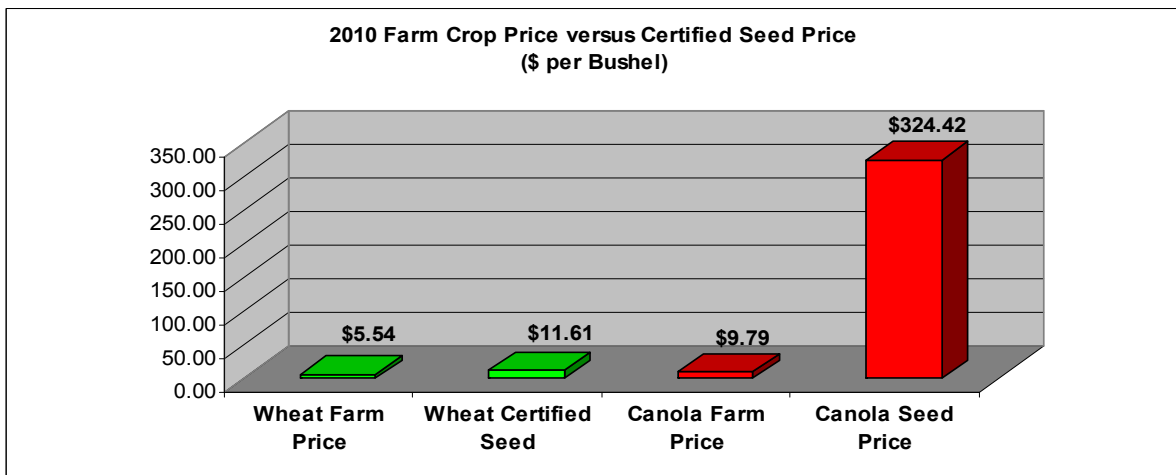
- Plant breeder's rights will increase from 18 to a minimum of 20 years.
- Until the 1990s most of the plant variety research was done by Ag. Canada and universities. Certified seed was available at relatively low cost to farmers. Public funding has been cut and research moved to the private sector.
- In 1991, plant variety legislation ensured corporate profits.

- Wheat predominantly remained in the public sector. The price of corporate seed, especially GM (genetically modified) canola, soared. CETA and UPOV 91 will enable seed pricing to move to the GM pricing model.



Total cost of canola seed for Canadian farmers in 2010 is estimated at \$500 million.

The contrast between what farmers receive for their crop and pay for a publicly researched certified seed such as wheat versus global corporate GM seed is stark.



* Seed price is as of July, Alberta. Farmer price is wheat 1 CWRS 12.5% PRO Aug. SK, canola Aug. 27, Sktn.

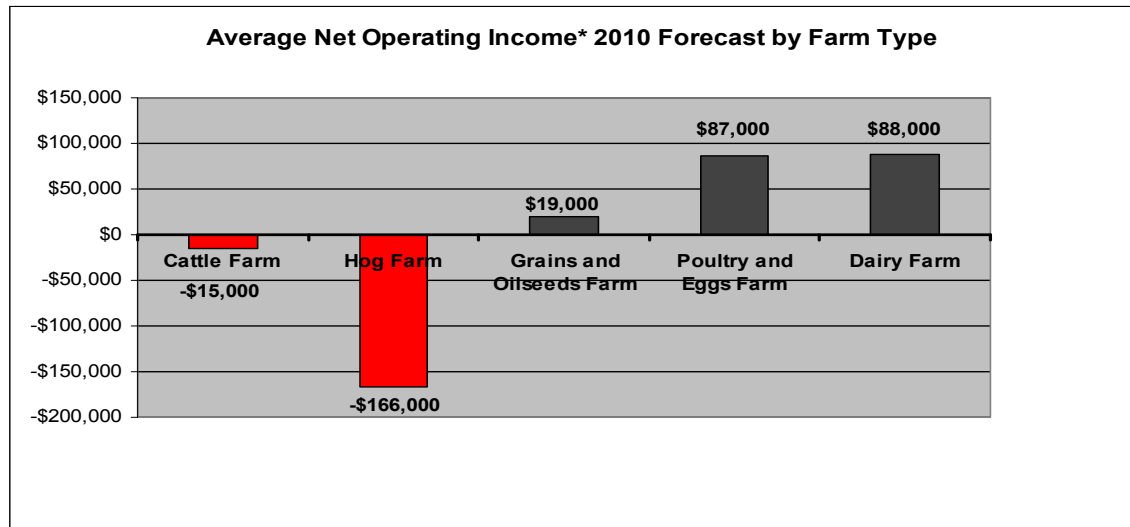
e) **Under CETA and UPOV 91, global corporations gain control over seed and the food we eat.**

- Inserting a gene into a plant, gives the patent holder complete control over the entire plant for up to 20 years.
- The plant propagates in the environment, and the gene contaminates other non-gm plant varieties in the country including organic grains.
- **The organic grain market and the consumer's right to eat organic food is destroyed.**
- Available plant varieties are reduced, as the company achieves monopoly control over the seed farmers are using. Seed Prices rise.
- The next target is GM Wheat.
- Bread and the multitude of products that contain flour will all be genetically modified.
- The Europeans do not allow GM products in their food. Canadians do not even have that choice as products are not labeled as GM.

CANADA'S SUPPORT PROGRAMS AND DAIRY, POULTRY AND EGG SUPPLY MANAGEMENT WILL BE AT RISK

"The Parties agree to cooperate in WTO [World Trade Organization] agriculture negotiations in order to achieve a **substantial reduction of production and trade distorting domestic support.**" [emphasis added], (*Ar. 10 p.20 - agreed Cdn. text*)*

- Dairy, poultry and egg farmers need only look at the cattle and hog sectors to see the effect of government agricultural policy focused on eliminating single desk selling and increasing exports.



* AAFC net operating income forecast before program payments and deductions for depreciation.

THE GOVERNMENT WILL USE CETA TO CRIPPLE THE CWB, THE GRAIN FARMER'S LAST PILLAR OF MARKET POWER

The Government's loan and initial payment guarantees for the CWB will not be permitted (*Ar. x3 p. 267 – agreed European Text*). The loss of the Government's loan guarantee alone could cost farmers an estimated \$107 million a year.⁴

CANADIAN FARMERS DO NOT GAIN ACCESS TO EUROPE FOR THEIR GM CROPS

CETA agreement does not apply to Genetically Modified Organisms. (*App. IB p.50*). [Appendix 1 inserted by EU.]

RISK OF CONTAMINATED IMPORTS INCREASES AS IMPORT CERTIFICATES FROM EU COUNTRIES MUST BE ACCEPTED WITHOUT REGULAR AUDIT OR INSPECTION

Only after a problem has occurred, can action be taken (*Ar. 9,p.45*)*[EU]. This puts your food safety at risk. The chemically tainted milk products from China are an example of the risks of only inspecting products after a problem is discovered.

* CETA draft as of 13/01/210, (Article, page number). Draft text contains bracketed sections which are the respective parties' positions.

¹ International Union for the Protection of New Varieties of Plants. All UPOV references are to UPOV 91.

² Center For Food Safety, Washington, D.C.–publication Monsanto vs. U.S. Farmers Nov. 2007 Update.

³ Checkbiotech web page – January 7, 2009 The McGill Tribune quote of May 2008 Vanity Fair article.

⁴ Larry Hill, Chairman of the Canadian Wheat Board, speech to NFU convention, November 2007.