

# Facing Down Goliath

## One Farmer's Battle with a GM Giant

Percy Schmeiser



**P**ercy Schmeiser has been farming all of his life. He has also served in the Canadian Parliament and been a mayor. Instead of retiring as he expected he would do a couple of years ago, he has become an unlikely David fighting the chemical Goliath, Monsanto. After having been sued by the multinational Monsanto Corporation, Schmeiser has traveled to the United States, India,

Pakistan, Bangladesh, New Zealand and Africa telling the story that follows. Along the way, he has become an expert on many of the legal issues coming to the forefront as GMOs increasingly invade our food supply. In October 2000, while traveling in India, Schmeiser received the Mahatma Gandhi Award in recognition of his work for the betterment and good of mankind in a non-violent way. His struggle for justice has implications for anyone farming today.

**ACRES U.S.A.** Let's start with your background as a grower.

**PERCY SCHMEISER.** I am a farmer from western Canada, and I've been farming for 53 years. For 50 of those years I have grown and developed canola. I've also grown wheat, oats, and at one time I was a pea developer. I'm known in western Canada as a seed saver and a seed developer in various grains, but primarily I was a seed developer in canola. I developed my own strain of canola that was resistant to the major diseases here in western Canada. As a result, I could seed canola in the same field continuously up to 10 years with no problem. Monsanto, on the other hand, states that you only can seed their canola once every four years in the same land because of disease. In other words, you won't be able to maintain disease control. But I had developed my seeds over 50 years of natural breeding process.

**ACRES U.S.A.** Then along came Monsanto, and what happened?

**SCHMEISER.** In 1998 Monsanto laid a lawsuit on me with no prior warning. They said that I had infringed on their patent by growing genetically altered canola — Monsanto's Roundup Ready — with-

out a license, and therefore infringed on their patent.

**ACRES U.S.A.** Had you ever purchased Roundup Ready canola?

**SCHMEISER.** I had never purchased Monsanto's Roundup Ready canola. I never so much as went to a meeting or knew a representative. I had never received an invitation to come to one of Monsanto's sales meetings. I didn't even know what it was all about. Still, they launched the lawsuit and said I had infringed on their patent. They claimed that I had illegally obtained their seed and they made the statement right over the CBC, our national radio of Canada, that I had either stolen it or illegally obtained it.

**ACRES U.S.A.** It became very public immediately, then.

**SCHMEISER.** Yes, it became immediately public. Right after they filed the lawsuit they went after me and said that I had done these things. I stood up to Monsanto and said no. My wife and I knew that we were using our own seed. If it was now contaminated with Monsanto's Roundup Ready, then they had actually destroyed 50 years of my work. So we decided to fight Monsanto. It eventually went to pretrial and in those hearings Monsanto admitted they had no record that anyone had ever said to them that I had obtained a seed illegally. But they said it didn't matter, the fact that there was some GMO seed on my land — no matter how it got there — meant that I was guilty of infringing on their patent.

**ACRES U.S.A.** And still it went to trial?

**SCHMEISER.** Yes, in June of 2000, and that was with the Federal Court of Canada because patent cases come under the Federal law. I wish it would have been held under Provincial Court where I could have had a jury with farmers who understand what farming is all about, but since it is patent law, I had to use the Federal court.

**ACRES U.S.A.** The judge ruled against you?

**SCHMEISER.** At the trial the judge ruled on three or four points that are very important and that affect farmers all over the world. A focal point of concern are property rights of farmers to be able to use their own seed throughout the world. He ruled that it didn't matter how Monsanto's genetically altered canola got on to my land. The judge went on to specify that if it blew in by the wind, cross-pollinated by flood, birds, bees, animals, fell off farmer's trucks, or migrated from the neighbor who may be growing it in the field next to mine — even if it

blows into my field against my wishes — it does not matter, I infringed on their patent. Number two, he ruled that if my field is cross-pollinated with Monsanto's genetically altered Roundup Ready Canola, my conventional plants would become their property. That was a very startling decision which basically means that a farmer can lose his entire field.

Reprinted from

**ACRES**<sup>USA</sup>

A VOICE FOR ECO-AGRICULTURE

January 2002 - Vol. 32 No. 1 - Page 28

*“My wife and I knew that we were using our own seed. If it was now contaminated with Monsanto’s Roundup Ready, then they had actually destroyed 50 years of my work.”*

**ACRES U.S.A.** Even though you had no desire to have any Monsanto plant product in your fields?

**SCHMEISER.** Yes. The judge also ruled that all of my profits from my canola crop in 1998 must go to Monsanto, even from fields that were not tested. He ruled that because I was a seed saver and a seed developer and was using my own seed, there was a probability that there could be seed in my other fields — even though some fields were not tested and some tested negative for contamination. The judge ruled that my profits all go to Monsanto because there was a *probability*, and that is the exact word that he used, that there could be some altered canola in those fields. You can see what happens now to any farmer in the world who wants to use his own seed. All Monsanto has to do is to contaminate a field. They only have to put their seed into an environment in any country, any region, and if it contaminates a neighbor’s crop, that neighbor can no longer grow that crop without a Monsanto license, or permission, or paying a technology charge.

**ACRES U.S.A.** Is there something about canola that is different from the other Roundup Ready crops that are out there?

**SCHMEISER.** Canola, I think, is the most easily spread. Soybeans will spread easily, not as quickly, but it will spread by pollen and direct seed movement. Canola has some unique characteristics because you get a lot of shelling out when you are growing a crop. It is not uncommon to have at least 10 percent shell out. If you have grown a canola crop, you can expect that high a rate of “volunteers” — that is, a crop that grows without having been planted by the farmer — the following year. Also, with canola you might get five or six germinations a year, whenever you get a rain shower. If it is on the soil or in the soil, it can germinate at different times. That is something that is unique to canola. It can also lie dormant in the soil for five to ten years without a problem.

**ACRES U.S.A.** You never planted Roundup Ready canola, but if a farmer were to plant it one year and then decide it is not for him, he could, according to this judge’s ruling, lose all his crops for the next 10 years if these crops keep coming up.

**SCHMEISER.** That’s correct. In the contract that a farmer signs with Monsanto — Monsanto realized that there were going to be volunteers — it is the farmer’s responsibility to get rid of volunteers at his expense. But that is impossible to do. If that farmer wanted to go back to conventional canola, or even conventional soybeans, it would be an impossibility because that land is forever contaminated. We will never, ever get rid of it on account of the cross-pollination. It doesn’t just stop with conventional farmers. It has destroyed the crops of organic farmers who grow soybeans and canola. Organic farmers cannot raise a crop now without contamination either by direct seed movement

or by cross-pollination. They have just stopped growing it. Those are two crops that have been taken out of the organic area, again over the liability issue.

**ACRES U.S.A.** Because farmers are afraid of being sued?

**SCHMEISER.** When Monsanto says they want a test plot in a country — whether it is maize, canola, or another crop — that is just turning on the switch because once the seed is there, it will contaminate the native crops. Then Monsanto can just say, “Sorry, it is there now, and there is nothing we can do about it.” That has happened in country after country where a test plot could not be contained. You have to remember that there is no such thing as containment. When they say to leave a bumper strip of 300 feet or 30 yards or half a mile, the crop will still spread, because pollen doesn’t only spread by wind. Pollen will spread by a bird in a flowering field brushing pollen on its feathers and then going to another field miles away. A deer, a fox, coyote, any animal, will spread pollen. The same thing is true of a vehicle a farmer may drive through the edges of his field, then 30 or 40 miles down the road, taking the pollen with him.

**ACRES U.S.A.** The issue is that it is out there in the environment, and the patent law — as interpreted by this high-level judge in Canada — makes it a legal as well as an environmental threat.

**SCHMEISER.** The judge has ruled that patent law or intellectual property rights override all farmer’s rights. You can have all the rights in the world and believe you are protected, but now you have a patent law that the judge has ruled overrides all farmer’s rights, and basically the farmer ends up with no rights whatsoever, even if their fields are contaminated or polluted against their wishes. My wife always says that if she went down to Monsanto’s headquarters and destroyed some of their plants by either taking them or by destroying them through cross-pollination or contamination, she is certain she would be thrown in jail. Why does Monsanto have such a right? They admitted at my trial that they knew it would cross-pollinate or contaminate. They apparently had no intentions of controlling it, and now it is out of control. That is the danger when you put a life-giving form into the environment; there is no calling it back.

**ACRES U.S.A.** Has Canada always issued patents on forms of life?

**SCHMEISER.** That has to be addressed, because when patent laws and regulations were drawn up they never considered life-giving forms. They were drawn up when someone invented something and they got a patent on it. If you wanted to use that product, you would have to get the patent rights or pay for the use. But when you get a patent on a life-giving form, there is no control once it is put into the environment. The regulatory body under the Department of Agriculture gave

Monsanto regulatory approval to sell this seed to farmers and release it into the environment. The way it is worded allows for *uncontrolled* release into the environment. That is the permission that Monsanto got to release their seed, knowing that it was going to contaminate fields before they ever released it, and they got this permission from the regulatory body of the government of Canada.

Reprinted from

**ACRES**<sup>USA</sup>  
A VOICE FOR ECO-AGRICULTURE

January 2002 - Vol. 32 No. 1 - Page 28

**ACRES U.S.A.** It sounds as though your personal opinion is not that this was a consequence of new technology, but actually intentional on the part of Monsanto.

**SCHMEISER.** Yes — I believe it was very intentional, because they admitted at my trial that they knew in the 1980s that it would contaminate fields beyond their own. At the beginning of my trial and in the pretrial they wanted me to admit that it could never cross-pollinate and never blow in the wind, and, in fact, they made statements to the press that this just doesn't happen. When push came to shove, they admitted that they have known since the 1980s that it would do this. In South Africa Monsanto is giving free samples of maize to farmers in certain regions, and it is just a matter of contaminating Africa. They will come back and say, we are sorry this happened, but there is nothing we can do about it, which is just what they did in Tasmania, where they had maize and canola that is now completely out of control. The whole state of Tasmania is contaminated, and in their statement Monsanto basically said, "Sorry, we'll try to do better in the future." I believe it is a deliberate attempt to contaminate and pollute, and then just say, "We're sorry." That is why they say it is impossible to get the level of pollution below 1 percent. They knew all along that it would contaminate and pollute. Any farmer could tell you that when you put something into the environment, you use a new seed, and all of a sudden weeds show up that you have never had, any farmer knows how they can spread. Monsanto knew that, because they had been using government-provided test plots in western Canada, so they knew what could happen just from prairie winds.

**ACRES U.S.A.** You told us what happened in the trial in just a few sentences, but it obviously spanned a couple of years. Did you live a private life, or were you known in the area?

**SCHMEISER.** I was well known in the area, because I was a member of Parliament and in public life for 25 years as a mayor, I was well known as a businessman, and I had a farm equipment dealership. It really changed my life, because when the lawsuit was filed against me I was 68, and I had planned to retire and spend time with my family. Now, at 70, I am involved in this fight with Monsanto. I stood up to them because I believe that a farmer should never give up the right of being able to use his own seed. I felt very strongly about it because my grandparents came from Europe in the late 1890s and early 1900s to open this land, to be free, and to grow what they wanted to grow. Now we are going back to a feudal system that they left because they were not free — basically we are becoming serfs of the land. I took a long-term view regarding what could happen to farmers if they lose control of the seed supply.

**ACRES U.S.A.** Fighting this thing has really changed your life.

**SCHMEISER.** I have spent the last year traveling around the world to speak about property rights and how farmers can lose them, the dangers of not being able to use your own seed, and how you can be controlled by multinationals. I also thought, "If I don't stand up, what kind of a legacy do I leave to my children and grandchildren, when I know that what is going on will take their future rights away?" That is why I stood up. It has put a lot of stress on me and especially on my family — my wife has developed high blood pressure from the stress. These are some of the fallouts, and

*"The judge went on to specify that if it blew in by the wind, cross-pollinated by flood, birds, bees, animals, fell off farmers' trucks, or migrated from the neighbor who may be growing it in the field next to mine — even if it blows into my field against my wishes — it does not matter; I infringed on their patent."*

my wife and I often think, why us? We were well known in the whole province in western Canada, and they thought if they could make an example of us, then nobody would try to use their own seed again. Monsanto even made that statement to local people. The other part is that Monsanto representatives — and they have lots — came into our region and took the attitude, "Nobody stands up to Monsanto," and I heard that they were threatening to get me and destroy me. What do they mean when they say they are going to destroy me? These are the things I have to live with, and you can imagine the effect on my wife and family.

**ACRES U.S.A.** What are some examples of how they investigate?

**SCHMEISER.** In their brochures they advertise to farmers that if they think their neighbor might be growing Monsanto's Roundup Ready canola without a license, they should turn him in to Monsanto. If you do that, and if the allegation is confirmed, then the farmer who has turned him in will receive a leather jacket from Monsanto. When Monsanto receives this tip or rumor, they send out two of their investigating officers, or gene police, whatever you want to call them, to a farmer's house, and they will say they have heard that you are growing Monsanto's product without a license. There are two words they always use: *tip* or *rumor*. The farmer will say, no, and tell them what sort of canola they are growing. In the typical scenario, as I understand it, the Monsanto people then will say something to the effect of, "You are lying, we know you are lying, we will get you if you don't come clean, we will destroy you, you won't have a farm left." These are the threats that are going on in a free society. You can imagine what it does to that farmer. He wonders which of his neighbors did this to him. Suddenly you have the breakdown of the social fabric of our rural communities. In my opinion, Monsanto is trying to divide farmer against farmer to get people to turn one another in to their investigators, but our country was built up by farmers working together, our whole infrastructure was made that way. To me, as a former

politician, that is one of the worst things that could happen to our communities, this pitting of farmer against farmer, but that seems to be the rule of Monsanto — divide and conquer. If they can't locate a farmer, or the farmer is not home, they will send a letter demanding money. Farmers call them "extortion letters." Basically, the letter says

that they have reason to believe that you might be growing Monsanto's Roundup Ready canola and, in lieu of going to court, please remit \$28,700. If a farmer catches them on his land and chases them off, Monsanto will then resort to a spray plane. They will fly over a farmer's land and spray bomb with Roundup a farmer's canola field, generally in the center. About a week or 10 days later

Reprinted from

**ACRES** USA<sup>®</sup>

A VOICE FOR ECO-AGRICULTURE

January 2002 - Vol. 32 No. 1 - Page 28

*“You have to remember that there is no such thing as containment. When they say to leave a bumper strip of 300 feet or 30 yards or half a mile, the crop will still spread, because pollen doesn’t only spread by wind.”*

they will come and check the field and if the canola has died, they know the farmer has not been using Monsanto’s Roundup Ready canola. If it hasn’t died then they claim it as proof that the farmer has used Monsanto’s canola.

**ACRES U.S.A.** Like dunking women in medieval times — if they drown they are not a witch.

**SCHMEISER.** Those are the tactics that they use to suppress and intimidate farmers. We now have a new fear culture here. Farmers are afraid to talk to one another, because they wonder: if they contaminate a field, who is going to be responsible for the damage? Does Monsanto pay for it? Does the government pay for it because they gave regulatory approval? Does a neighbor have to pay for it? Because it has been well established that if you do any spraying, and the spray drips into your neighbor’s land, you are responsible. What about genetically altered canola or soybeans? If it moves into your neighbor’s land by whatever means and they lose their sales on it, who is responsible? Farmers are afraid to talk, and there is this whole distrust in our society.

**ACRES U.S.A.** As you travel, are there countries that are showing independence and standing up to this?

**SCHMEISER.** A lot of countries are standing up and saying, “We don’t want these genetically modified materials.” Many are concerned about the agreements with the World Trade Organization that will force GMOs on them. Apparently there are provisions in some of these agreements that allow a country to make the case that it feels that these products might endanger the environment or might be a risk to the health and safety of the people, then they do not have to take it. But these are drawn-out court cases where countries have to argue their case and it costs them money to stand up to these multinationals from the United States and Canada who are trying to force these products down the throats of people throughout the world. When these countries stand up against corporations from the United States and Canada, we call them fear mongers and say they are only trying to protect their own industries, but we are the ones who have wanted to protect our own industries and ram them down the throats of others. The African model law that has been drafted, which is a model for all the African states, goes to great lengths with regard to the health and safety of the food, the environment, the precautionary principles, the risk assessments, economic impacts, how it affects exports, all of these things are taken into consideration. And there is also a strong push for labeling, because people want to know what they are eating. There are some reports out from Switzerland, Scotland, England, and, I believe, Germany, which say that food is not as safe as a lot of the scientists would like us to believe.

**ACRES U.S.A.** Obviously you have become quite an authority on this whole issue. What percentage of our food now has some GMOs component?

**SCHMEISER.** They estimate that at least 45 to 50 percent of food consumed in North America is contaminated with GMOs. I would say that is a low number. I would guess that there is more because if you look at the products that are made from soybeans, soybean oil, from corn, from canola, all those products would add up to at least that much, and then you have potatoes, tomatoes, and other items that we don’t even know about. That is why we need labeling. We had a recent radio poll done, and 85 percent of the people surveyed want labeling because they are getting very concerned about what they are eating. People have the right to know what they are eating. In a meeting I attended, Monsanto said nobody had dropped over dead yet, but how do they know that? As it stands now, we have no way of knowing.

**ACRES U.S.A.** With other crops, what percentage of contamination is out there?

**SCHMEISER.** With canola, you would be hard pressed to find any field in western Canada that is not contaminated. There is no such thing now as pure canola seed. I am also told that there is no such thing now as pure soybean seed. It is all contaminated in the United States and Canada. Monsanto got regulatory approval in 1996 and in less than five years that is how far it has contaminated. Now, if they bring out GMO wheat, you can imagine what that would do to our markets and the economic impact that would follow. There is something more. All plants have close relatives. Canola is from the Brassica family — radishes, turnips, cauliflower and so on. All of these plants are getting cross-pollinated, along with distant relatives such as wild mustard. What is happening is that we have now developed super weeds, which will be very difficult to control. We no longer have only the contamination, but also the super weed, which is a conventional plant that has the genes from a minimum of three GMO organisms in it. There are about five companies that are selling GMO canola, generally for herbicide resistance. So it is possible that you could have a gene from the Monsanto variety in your plants along with genes from two other companies. Thus, you have a super weed that will take three different types of chemicals for control.

**ACRES U.S.A.** Have you seen this on your own farm?

**SCHMEISER.** I suspect that we have it, because we have canola growing in ditches and around the power poles that have not died from 2,4-D or from Roundup. I imagine those may be super weeds. This past year I asked the Saskatchewan Department of Agriculture to come in and take samples, and I haven’t gotten those tests back. In fact, I tried to get some testing done by Agricultural Canada last year, and they refused to do it when they found out it was my seed because they are taking grants from Monsanto, so they don’t want to find anything strange in my seeds. At any rate, we now have the problem of the super weed, and Monsanto denied this at first. The irony is that because Monsanto is the company that holds the patent, that new super weed is basically Monsanto’s property, even though it has genes from other companies. That is because the other com-

Reprinted from  
**ACRES**<sup>USA</sup>  
A VOICE FOR ECO-AGRICULTURE  
January 2002 - Vol. 32 No. 1 - Page 28

panies certified or registered their varieties while Monsanto patented theirs. They own it all. You have to remember that Monsanto never developed any canola. They just took a variety that was out there, they bio-pirated it, put their gene into it, and said with patent law they owned that canola. We are challenging the whole issue with a lawsuit against Monsanto that asks how far you can go in the patenting of life-giving forms. If you can patent a seed or a plant or a gene, then what about the birds, bees, insects, fish and ultimately human beings?

**ACRES U.S.A.** This fight for you has gone way beyond taking care of yourself and your farm. You are really trying to plow new legal ground on this whole issue to resolve something for farmers in Canada.

**SCHMEISER.** Not only from Canada, because patent laws are basically the same all over the world. My case, instead of being a simple infringement on a certain patent, has forced governments to look at new regulations and law in the form of patent law and the patenting of life-giving forms. You have the issue of property rights. A company or individual that brings a new item onto the market that destroys the property of others also now has to be looked at. You can have the greatest thing in the world developed and brought into the environment, but if it destroys the work and property of others or endangers the environment or the health of human beings, and if you know that will happen before you release it, then there is something wrong when permission is given to release an organism of that nature. I have been asked many times if I am totally against GMOs. If it is brought into the environment where it will do this sort of damage to others, then yes, I am against it — I say no to GMOs. These companies benefit at the expense of the suffering of others. They can take the work of many years and destroy it — as they did in my case, where 50 years of work is gone, destroyed by Monsanto. Because of their sheer power and might, these corporations are getting away with this. What farmer can afford to stand up to a multinational corporation? In my case, I've already spent a good \$200,000 just for my lawyer fees, and my appeal will be at least another \$100,000. Where is the justice for the average farmer to stand up to these corporations who will do everything in their power to break an individual mentally and financially?

**ACRES U.S.A.** I'm assuming that while you have been successful in life, that is a large amount of money for you.

**SCHMEISER.** That \$200,000 is basically what my wife and I worked all of our lives to put into our retirement. To pay this, we will eventually have to sell at least two or three quarter sections of land. Not only that, Monsanto has now asked for a million dollars in court costs against me. I have to go back to court to argue why I should not have to pay for their court costs and attorney fees. This is how vicious they are.

**ACRES U.S.A.** Are you alone, or has this happened to other farmers around the world?

**SCHMEISER.** I am not alone. I estimate that they have at least 2,000 other farmers under investigation waiting to launch lawsuits. After the judge made the ruling against me, the local paper here

*“When these countries stand up against corporations from the United States and Canada, we call them fear mongers and say they are only trying to protect their own industries; but we are the ones who have wanted to protect our own industries and ram them down the throats of others.”*

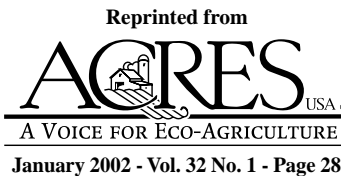
said, “Monsanto Wages War on Farmers.” In both the United States and Canada they are taking farmers to court. It is hard to know exactly, because when a farmer signs a contract with Monsanto, he signs a non-disclosure statement that if the company comes after him, the farmer cannot say anything, but Monsanto can say or do anything. Basically, your freedom of speech and expression is taken away, because they threaten to sue you again if you speak out.

**ACRES U.S.A.** You are unusual because you never signed any of their agreements, you never bought their seeds, so you are not shackled to them in that way. Other farmers in the same circumstances may have even more reason to fear than you have.

**SCHMEISER.** Very much so. You can imagine the culture that has been established. For example, a farmer here contacted me and said that he had signed a contract with Monsanto for 200 acres. When he got done seeding, he had 208 acres, because it is almost impossible to know exactly how it will come out when you sow the seed. He has signed the contract for 200 acres, but in his crop insurance he put down 208 acres, because that is what his drill came out to. Monsanto investigates and checks its farmers, and they have the right to go into all of your records, and they went after him for \$15 an acre times eight acres. But they obviously didn't want a mere \$120, so they also claimed he tried to cheat them out of eight acres of crop pay. He explained that he wasn't trying to cheat them, that the drill had just come out a little bit over the estimate. Monsanto ignored this and claimed that not only did this farmer owe them \$15 an acre for those eight acres, but they also wanted to take his entire crop on the 200 acres, and fine him \$120 an acre for all 200 acres. They wanted to make an example of him. In the end, he had to beg them to not pursue it, and they let him off. But this is the climate they create with their activities.

**ACRES U.S.A.** Farmers are really operating in fear up there.

**SCHMEISER.** Yes, because the company is always looking for spies. Monsanto went to the local seed processor where I had some canola seed treated in 1998. It is a messy job, and sometimes I send seed out to be treated. The processor admitted in court that Monsanto went to the manager of this company and said, “If you give us copies of records or steal samples from farmers and turn them over to us, we will give you a better discount.” In other words, steal the grain from farmers, turn it over to Monsanto, then get a discount from Monsanto. This processor said he got authorization from his supervisor to cooperate, but added that his company ultimately regretted doing



*“In my opinion, Monsanto is trying to divide farmer against farmer to get people to turn one another in to their investigators, but our country was built up by farmers working together; our whole infrastructure was made that way.”*

so. You can imagine what it did to their image when local farmers found out — and we all found out because they admitted it in open court.

**ACRES U.S.A.** What will it take for farmers to say no and boycott these GMO products — do you see that happening at all?

**SCHMEISER.** Yes. In the last year their sales have dropped 40 or 50 percent. Plus the organic farmers have launched a lawsuit against Monsanto for a liability issue. Now the National Farmer’s Union is considering a lawsuit claiming loss of income and economic impact. But you can imagine the fear that puts into farmers who have signed these contracts — will they be held responsible?

**ACRES U.S.A.** Was the outcome of your case an aberration from a bad judge, or based on real issues?

**SCHMEISER.** In my case the judge never said what the rate of contamination was in my fields, he just ruled that it did not matter how it got into my fields. We found out later that they had secured a sample from another company which they claimed had come from my field, but it was not my seed. What I had taken in was bin run seed, which was never cleaned, and what this company provided was clean seed — it was a totally different seed. My case has caused a lot of discussion. How that judge ruled will now bring this matter forward for governments to decide on the patenting of life-giving forms. I think that is why it was such a bizarre decision. Liabilities were not considered by that court. The decision was strictly patent law versus farmer’s rights, and he ruled in favor of patent law. Now it is going to the Court of Appeal and most likely to the Supreme Court, and finally it may be the Parliament of Canada that will have to decide.

**ACRES U.S.A.** As you have traveled around the world and spoken, what concerns do farmers have?

**SCHMEISER.** The biggest concern is the loss of farmer’s ability to use their own seeds and the future development of seeds and plants. Many of the best seeds and plants were not developed by scientists, research people, or universities — they were developed by farmers for their own regions. Farmers trade with their neighbors. Scientists and research people have taken those seeds and developed them for a particular thing and then patented them. The basic development is now lost for different regions of the world. As a farmer I know from experience that if I grow a plant and raise a seed from that plant, it might be good for my region, but 50 or 100 miles away that same seed may not do as well, depending on all sorts of conditions. This leads to the diversity issue. If you get down to one or two species and you have a blight or a disease come through,

what do you fall back on? You don’t have any pure seeds left, and the result could be devastating for the food supply. How can a company come through and take a seed or plant and then patent it and claim to own it and make you pay to use it? Another issue is the police control, companies coming on your land and threatening you, sending you extortion letters, the breakdown of our rural communities because of corporate pressures. I can’t think of any other company in the world — marketing any other product — that has a police force to monitor whether you buy their refrigerator, car or whatever. There are so many issues that people worldwide are concerned about. There are other economic issues: the European common market does not buy GMOs, and if you can’t sell your crops, then you are broke. My case just leads to issue after issue: environment, health and safety, and property law versus intellectual property.

**ACRES U.S.A.** Have you remained an optimistic man throughout your travails?

**SCHMEISER.** Every morning I wake up with renewed vigor because I see what is happening that is so wrong. Basic rights, fundamental rights are being taken away by a multinational corporation. When I spoke in Africa, I noted that we used to have colonial domination of other countries in the world, but that now the control of these countries will come from multinational control of the food supply. Where will anybody’s food security be when it is controlled by a multinational? Whoever controls the seed supply will control the food supply, and whoever controls the food supply controls the country. That is why I feel so strongly about this. I am 70 years of age, and I can look into the future and see where this is leading. African people tell me that when they see these big corporate advertisements in North America that show poor fields and African people starving, and then in the next picture they see rich, green fields and well-fed children, they feel these companies are using hungry people to sell their seeds and chemicals — they do not believe these companies want to feed hungry people.

**ACRES U.S.A.** Do they see it as corporate propaganda?

**SCHMEISER.** At the end of the day, the goal is to sell more chemicals that poison the environment in the long run. I have been a farmer since 1947, and I have seen what chemicals have done to our land, our wildlife, our birds. We are paying the price now for what we have done in the last 50 years. Everything used to be spray, spray, spray. When we killed one insect that was harmful, we killed every beneficial insect, we killed beneficial plants. I realize after 50 years that we were doing wrong, not only to the environment, but to the animals and to human beings themselves. I believe we owe a moral responsibility to our environment. The fish, birds, mammals and insects cannot protect themselves. It is up to us to protect them, and we are not doing it.

**ACRES U.S.A.** It is the same bill of goods farmers have been sold for years.

**SCHMEISER.** In 1996 Monsanto told farmers that they would have bigger yields, more nutritious crops, and that they would be able to feed a hungry world and have sustainable agriculture. I can



*“If Monsanto cannot control their own seed supply, what is to stop some bioterrorist from injecting a harmful gene into seed supplies?”*

remember in 1947 and 1948 — my father was a farmer at that time — they had a big meeting to introduce 2,4-D, and they used the same words: “We will have sustainable agriculture, be rid of our weeds, and we will feed a hungry world.” Fifty-three years later we have more weeds than ever. To feed a hungry world you need three things: transportation, economics and politics — that’s what feeds a hungry world, not Monsanto. When you put a gene into a plant to make it resistant to Roundup, how does that make it more nutritious or provide a bigger yield? All you have done is develop a plant that won’t die when you spray Roundup on it. Sales of Roundup are up 20 percent. Monsanto’s actions make it clear to me that they are not concerned with feeding a hungry world — they are concerned with sales. Monsanto’s patent on Roundup ended in Canada and the United States in the last two years. How could they maintain their sales of Roundup when it was about to become generic? They could control it by getting control of the seed supply, getting farmers to sign contracts, and forcing farmers to buy their seeds and chemicals as well as paying a technology charge. In the last three years Monsanto has spent 8 or 9 billion dollars buying up seed companies around the world. Now you have a chemical company becoming the second largest seed company in the world. That should tell us what they are really after.

**ACRES U.S.A.** It seems they are out for profits without responsibility or consequences.

**SCHMEISER.** Last spring Monsanto came out with a new variety of canola. After they released it, they discovered there was a harmful gene not proven for human health in that canola. If Monsanto cannot control their own seed supply, what is to stop some bioterrorist from injecting a harmful gene into seed supplies? They have to use a bacterium or a virus to move these genes back and forth — what happens if a deadly virus gets into our food or seed supply? This has happened to Monsanto twice, and they have never revealed what the virus gene was — not in 1997 or in 2001. If it is all so safe, why can’t they tell us about it? Where is our national security on food?

**ACRES U.S.A.** Any parting advice for farmers out there?

**SCHMEISER.** A farmer should never sign a contract giving up the right to use his or her own seeds. Farmers should get in contact with their government representatives with regard to property rights of farmers, liability issues and labeling of GMO foods. If there is one thing that you feel is a risk to the soil, human beings, or the animal kingdom, then use the precautionary principle and go slow. Remember that once you put a life-giv-

ing form into the environment, there is no calling it back, so we had better make certain of what we are doing.

For more information about Percy Schmeiser, his ongoing legal battle with Monsanto, or to make a donation to his legal defense fund, visit his website at <<http://percyschmeiser.com>>, or send your contribution to: Fight Genetically Altered Food Fund Inc., Box 3743, Humbolt, Canada SK S0K 2A0.

Copyright © 2002 Acres U.S.A.  
All rights reserved.



Acres U.S.A. is the national journal of sustainable agriculture, standing virtually alone with a real track record — over 30 years of continuous publication. Each issue is packed full of information eco-consultants regularly charge top dollar for. You’ll be kept up-to-date on all of the news that affects agriculture — regulations, discoveries, research updates, organic certification issues, and more.

To subscribe, call

**1-800-355-5313**

(toll-free in the U.S. & Canada)

512-892-4400 • fax 512-892-4448

P.O. Box 91299 • Austin, TX 78709

[info@acresusa.com](mailto:info@acresusa.com)

Or subscribe online at

[www.acresusa.com](http://www.acresusa.com)