

# Capital Press

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# WHERE UNCERTAINTY GROWS

After 13 years, farmers still worry about controlling escaped genetically engineered bentgrass

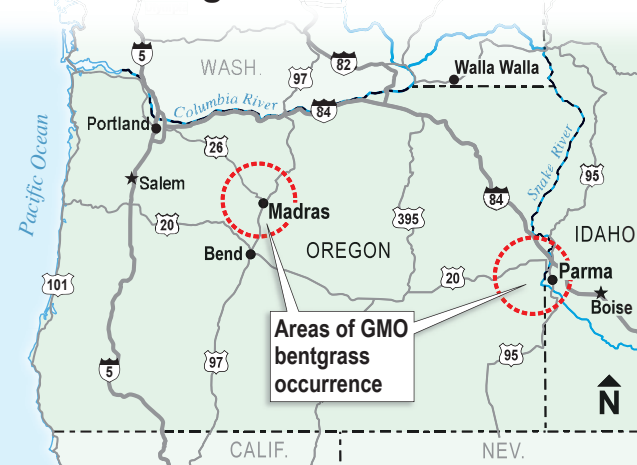


Photos by Sean Ellis/Capital Press

Malheur County farmer Jerry Erstrom points out a genetically engineered creeping bentgrass plant June 14 on an irrigation ditch bank near Ontario, Ore. Bentgrass, also seen in the photo below, was genetically modified by Scotts Miracle-Gro Co. to resist the Roundup weed killer, escaped from field trials in 2003 and has taken root in Malheur and Jefferson counties in Oregon and part of Canyon County in Idaho.



## GMO bentgrass in the Northwest



Capital Press graphic

By SEAN ELLIS  
Capital Press

**O**NTARIO, Ore. — Eastern Oregon farmer Jerry Erstrom scouts for patches of genetically engineered creeping bentgrass on the banks of an irrigation ditch June 14.

It doesn't take him long to find one. And then another, and another.

The bentgrass was genetically engineered to withstand applications of glyphosate herbicide, which makes it difficult to kill.

Farmers such as Erstrom worry it will ultimately take over the countryside, clog irrigation ditches and affect shipments of crops to nations that don't accept traces of genetically modified organisms, or GMOs.

"I've been doing weeds for 25 years and I promise you in five years this (county) will be inundated with it," said Erstrom, chairman of the Malheur County Weed Board.

The bentgrass was meant for golf courses. Instead, after escaping from field trials 13 years ago, it has taken root in Malheur and Jefferson counties and ignited a debate about who should be responsible for controlling it in the future.

Scotts Miracle-Gro Co., which was developing the grass for use mainly on golf course greens, said it is committed to collaboratively working with growers and irrigation districts to control and eradicate the grass where possible.

But some farmers believe a 10-year agreement Scotts recently reached with USDA's Animal and Plant Health Inspection Service will allow the company in a few years to essentially walk away from any responsibility for controlling the plant.

### At a glance



**Name:** The Scotts Miracle-Gro Company  
**Type:** Public (NYSE: SMG)  
**Industry:** Consumer lawn and garden products  
**Founded:** 1995  
**HQ:** Marysville, Ohio  
**CEO and chairman:** James Hagedorn  
**Net revenue:** \$2.84 billion\*  
**Net earnings:** \$166 million\*  
**Operations:** U.S., Canada, Europe and Asia Pacific  
**Notable brands:** Scotts, Miracle-Gro, Ortho, Evergreen, KB, Fertiligene, Cetaflor and Substral  
**Employees:** 6,700 (full-time)\*  
**Website:** scottsmiraclegro.com  
\*FY 2014

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## 9th Circuit ponders local GMO authority

By MATEUSZ PERKOWSKI  
Capital Press

### ANALYSIS

If the USDA has only limited authority over biotechnology, how much power do states and counties have to restrict genetically engineered crops?

This question arose from a pivotal ruling issued by the 9th U.S. Circuit Court of Appeals three years ago, and the appellate court will probably soon have to answer it.

In 2013, the 9th Circuit decided that USDA only has the power to regulate genetically engineered crops that are potential plant pests.

Pathogens are commonly used to alter crop genetics, so the USDA evaluates the plants to ensure they don't inherit disease-causing or parasitic traits.

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## Farmer to challenge Clean Water Act tillage ruling

By MATEUSZ PERKOWSKI  
Capital Press

A California farmer plans to challenge a recent court ruling that he violated the Clean Water Act by tilling through wetlands in his field.

A federal judge has ruled John Duarte of Tehama County, Calif., should have obtained a Clean Water Act permit to run shanks through the wetlands at a depth of four to six inches, creating furrows prior to planting wheat in a 450-acre pasture.

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Mateusz Perkowski/Capital Press

California farmer John Duarte, second from right, speaks with attendees at the 2016 American Farm Bureau Federation's annual convention in Orlando, Fla., earlier this year.

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