

Genetic Trespass

UO sponsors symposium on the legalities of invented crops.

Percy Schmeiser has a remarkable tale to tell. The second-generation Canadian canola farmer was sued by Monsanto for patent infringement when his crops were reportedly cross-fertilized by seeds from a neighbor's field. Schmeiser, 76, chose to fight Monsanto and his case is now before the Canadian Supreme Court. This farmer's case, along with the issues it raises, could have a huge impact on the future of agriculture worldwide, and even right here in Lane County.

Schmeiser is leading a worldwide battle against U.S. companies enforcing seed patents in other countries, and he is the keynote speaker at a Friday, April 9 conference at the UO. More than 200 farmers, scientists and legal scholars are gathering in Eugene to explore contentious questions about control and ownership of genetically modified crops.

His keynote address, titled "David v. Goliath: Patent Law and the Might of Monsanto," will begin at 7 pm in the auditorium of Agate Hall, 1787 Agate St. The talk is open to the public and admission is \$5.

The one-day symposium will explore how extending intellectual property rights to seeds affects farmers, and how recent Supreme Court decisions and new technologies threaten global food security and genetic diversity.

The symposium is titled "Malthus, Mendel, and Monsanto: Intellectual Property and the Law and Politics of Global Food Supply." Thomas Robert Malthus was an English economist who theorized that world population tends to multiply faster than the food supply leading to disastrous results. Gregor Mendel was an Austrian monk known as the father of genetics. Monsanto is a multinational corporation that is developing and marketing genetically altered seeds.

The Wayne Morse Center for Law and Politics at the UO School of Law is sponsoring the event, which will feature experts in patent law, plant genetics and agriculture.

"Over the past two decades, genetic engineers have created and patented 'improvements' in seeds used to grow staple crops," says Keith Aoki, UO law professor, conference organizer and one of the speakers.

"New international agreements establish the global scope of those patent rights and have allowed a decreasing number of multinational corporations to capture much of the global agricultural market with their patented seed. Four or five corporations could end up with a lock on the global seed supply," says Aoki.

Aoki is also concerned about the risk of liability for growers in the Willamette Valley. He says 328 permits have already been issued by the USDA for test plots of "GE crops, both herbicide resistant vegetable and grass varieties and crops with pharmaceutical and industrial compounds. If these crops move from small-scale test plots to widespread planting as they have elsewhere, not only

seed saving farmers, but homeowners with lawns may find themselves unwilling defendants in patent infringement lawsuits."

Aoki's particularly concerned about "out-crossing" of Monsanto's Roundup Ready creeping bentgrass from bird migration of seeds or air migration of pollen. "If foreign purchasers reject GE creeping bent grass, what will become of Oregon's \$200 million a year grass seed industry?"

Another organizer of the conference is J.J. Haapala, a second-year law student and 16-year producer of organic vegetable seeds at Heron's Nest Farm in Junction City. Haapala also initiated and directs the Farmer Cooperative Genome Project for Oregon Tilth.

Haapala says genetic engineering of plants raises environmental, ethical, and human health concerns, but few people are aware of the legal issues surrounding the patenting of major food crops.

"The widespread planting of patented vegetable and grass varieties in Oregon means that not only seed-saving gardeners face patent infringement liability, but so also do homeowners who enjoy lawns," says Haapala. "If, as in the case of Percy Schmeiser, patent holders are allowed to sample crops or lawns without permission and persecute infringers to the fullest extent of the law, Oregonians could face significant legal troubles."

Other conference speakers Friday include Madhavi Sunder, a law professor at UC-Davis and expert on intellectual property; Susan Bragdon, senior scientist at the International Plant Genetic Resource Institute; Stephen Brush, a professor of human and community development at UC-Davis; Beth Burrows, founder and director of the Edmonds Institute, a public interest organization focused on environment and technology; Ignacio Chapela, assistant professor at UC-Berkeley and co-author of a study on genetic contamination in Mexico. Other speakers are Margaret Chon, William Heffernan, Stephen Jones, Kim Leval, Charles McManis, Malla Pollack and Henry L. Shands.

For more information on Percy Schmeiser, including an audio interview, visit www.percyschmeiser.com For a complete list of Friday's workshops and presenters, along with registration information, visit www.morsechair.uoregon.edu or call 346-3700. Registration on the day of the event is very limited.

The symposium is part of a two-year effort by the Morse Center to explore "The Changing Geopolitical Order: Implications for Peace and Stability."

"Rapid shifts in the supply of the world's food certainly has implications for global peace and stability," says Morse Center Director Caroline Forell. **ew**



Percy Schmeiser

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