

Submitted electronically to: agriculturalworkshops@usdoj.gov

April 23, 2010

The Honorable Eric Holder
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

The Honorable Tom Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

Dear Attorney General Holder and Secretary Vilsack:

We are writing to thank the Department of Justice and the U.S. Department of Agriculture for having sponsored the first workshop ever on competition in agriculture and we look forward to participating in the upcoming workshops in Alabama, Wisconsin, Colorado and Washington, D.C.

We are encouraged by the Administration's recognition that without a well functioning agriculture sector, the country's national security is in jeopardy, and that illegal practices by monopolies must be prosecuted. These are strong messages that deserve further discussion and action. The Administration also demonstrated its leadership by sending high-level officials to the Iowa workshop and by striving to achieve a balance of opinions and concerns. The different panels highlighted the fact that these workshops are not just about narrow anti-trust definitions, but also about the direction of U.S. agriculture.

In support of this process and with the goal of improving future workshops, we would like to offer some recommendations for strengthening the process leading to concrete reforms.

First, public participation should be better accommodated throughout the agenda of the future workshops so that at least 30 minutes of each panel accepts public comments and questions. It was an unsatisfactory process to have comments over lunch and as the last item on a very full agenda, instead of throughout the day when officials were still in the room. This may not be as necessary in the poultry hearing, since growers are reluctant to speak on the record because of fear of reprisals. But even in Alabama, adequate time should still be allocated for public comment when more officials are present.

Second, incorporate an assessment of the impact of global agricultural market concentration and the role of trade and investment agreements into future workshops. During the course of the Iowa workshop, many references were made to the fact that the U.S. is part of the global economy and that farmers should expand production for exports to help feed the world's hungry. Yet, there was no focused discussion around how U.S. competition is playing out globally, particularly in

developing countries, and regionally in North America. Considering that U.S. agribusinesses are directing global as well as domestic markets, an assessment of U.S. corporate activity abroad must be central to the dialogue.

Third, dedicate an additional workshop focused solely on seeds and the implications of patenting in relation to competition that potentially undermines sustainable agriculture. We commend the DOJ and USDA for organizing a panel on seeds at the first workshop. We also applaud the DOJ's preliminary investigation of Monsanto for holding a monopoly on patented soy. However, this topic needs much more discussion. The issue of unfair exercise of patent protection and intellectual property market power should be expanded to cover the appropriateness of patenting and controlling seed germplasm and other life forms.

Fourth, the Federal Trade Commission should be a part of these workshops. The FTC has jurisdiction over retail grocery stores and most food manufacturers and processors, where most consumers directly interact with concentration in the food and agriculture sector. Additionally, the FTC has jurisdiction over many farm inputs like fertilizer, which directly impacts farmers.

Lastly, we would like to propose more regional workshops in states that have strong agriculture sectors with different characteristics. We respectfully request that a workshop be added in California, Minnesota and Texas, the Pacific Northwest, Florida and the Northeast, because of the different ways that competition, or lack thereof, have impacted workers, health and the environment, and regional markets.

We look forward to further engagement with you and to achieving reform that supports U.S. farmers and consumers and also leads to responsible investment and fair competition in other parts of the world.

Sincerely,

American Indian Mothers Inc.
Black Farmers & Agriculturalists Association (BFAA)
California Food and Justice Coalition
Center for Community Alternatives
Center for Food Safety
Concerned Citizens of Tillery (CCT)
Farm Aid
Farm and Ranch Freedom Alliance
Farmer to Farmer Campaign on Genetic Engineering
Farmworker Association of Florida, Inc
Florida Certified Organic Growers and Consumers, Inc (FOG)
Food Democracy Now
Food First/Institute for Food and Development Policy

Food & Water Watch
Food Systems Integrity
Grassroots International
Institute for Agriculture and Trade Policy
Institute for Nonviolent Economics
Interfaith Center on Corporate Responsibility
Iowa Citizens for Community Improvement
Joining Hands India
Just Food
Maryknoll Office of Global Concerns
Missouri Rural Crisis Center
National Family Farm Coalition
National Farmers Organization
National Latino Farmers & Ranchers Trade Association
Nebraska Sustainable Agriculture Society
North Carolina Environmental Justice Network
Pesticide Action Network North America
PLANT (Partners for the Land & Agricultural Needs of Traditional Peoples)
Presbyterian Church (U.S.A.), Presbyterian Hunger Program
Open Minded Seniors
Organic Seed Alliance
Rural Advancement Foundation International –USA
Slow Food – USA
Stone Barns Center for Food & Agriculture
The Oakland Institute
WHYHunger
Western Organization of Resource Councils

Please direct return correspondence to: Alexandra Spielloch at the Institute for Agriculture and Trade Policy (612) 870-3419, e-mail: aspelloch@iatp.org. We will forward your response to the groups and individuals signing this letter.