

## ROUNDUP READY® DECISION AND ORDER

Dear Member/Grower,

Judge White issued his Order regarding remedies late Friday. The statement posted to the Sugar Industry Biotech Council (SIBC) website is reprinted below. The bottom line is that there are no restrictions impacting root or seed crops that were planted prior to Friday. The 2010 root crop can be harvested, processed, sold, and consumed. All seed crops currently planted can be harvested and stored.

The Judge remanded (sent back) to USDA's Animal and Plant Health Inspection Services (APHIS) decisions regarding the planting of all future roundup ready crops and seed. The beet industry is prepared to begin immediately working with APHIS.

Log in to "Members Only" on [www.scoop.com](http://www.scoop.com) to review the District Court's **Order Regarding Remedies** which is posted in its entirety.

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This is the SIBC statement:

August 14, 2010

On August 13, 2010, Judge Jeffrey White of the U.S. District Court for the Northern District of California denied plaintiffs' motion for a permanent injunction banning Roundup Ready sugar beets. The Court vacated the United States Department of Agriculture's (USDA) Animal and Plant Health Inspection Service's (APHIS) original deregulation decision and remanded the matter back to APHIS. APHIS may now consider implementing interim measures for planting future Roundup Ready sugar beet crops that comply with applicable federal law, including the National Environmental Policy Act (NEPA).

The Court's order does not interfere with the harvest and processing of Roundup Ready sugar beet and sugar beet seed crops planted before the date of the order. The Court ruled "such crops may be harvested and processed," and sugar from the 2010 sugar beet crop may be supplied to the market without limitation.

Under the Court's ruling, and the Supreme Court's recent decision in *Monsanto v. Geertson Seed Farms*, APHIS may adopt interim measures regarding future planting of Roundup Ready sugar beet crops that are compliant with federal legal requirements. The sugar beet industry will provide its full support to USDA to allow full consideration of appropriate interim measures that allow continued production of Roundup Ready sugar beets.

Sugar beets are an important crop, planted on 1.2 million acres in the United States annually and supplying half of our nation's sugar. The value of sugar beet crops is critically important to rural communities and their economies. Biotech sugar beets planted on 95 percent of all sugar beet acreage have allowed growers to control weeds - one of their greatest challenges - in a more environmentally sustainable way.