

UPDATE: On September 1, 2010, the USDA announced it will issue permits for farmers to grow GMO sugar beets, so long as the plants don't flower, [per news reports](#) .

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Revised August 20, 2010\*



Last week, federal Judge Jeffrey White refused a request for an injunction on GMO sugar beets, but the GMO plants are illegal to grow at this time, pending an Environmental Impact Statement (EIS) by the USDA and possible further legal action. Sugar beets comprise 50% of the sugar used in US food, and 95% of the sugar beets grown in the US are GMO. It is the jurisdiction of the US Department of Agriculture to determine whether plants are environmentally safe; this case is about whether the plants can cross pollinate (by wind, insects, etc) and contaminate other plants.

Less than 2 weeks ago, [wild growing canola](#) in North Dakota was discovered to be 86% GMO. Because GMO crops are crossed with herbicide resistant plants (usually weeds), they grow like weeds and contaminate natural plants. Alarmingly, two of the canola samples collected by scientists showed that multiple genes from different species of GMO canola plants cross

pollinated without cultivation, and probably for several generations. The implication of this is that GMO seeds can readily contaminate natural seeds and become out of control.

The GMO alfalfa ban lawsuit about contamination was the first GMO case ever heard by the Supreme Court, despite countless lawsuits from farmers whose fields have been polluted by GMOs. The sugar beet ban was overturned, based on a Supreme Court decision (7-1), which lifted the nationwide ban on GMO alfalfa in June.

The Supreme Court ruling stated that the nationwide GMO alfalfa ban was too broad, so it was lifted; an Environmental Impact Statement (EIS) to be performed by the USDA is still pending and it is currently illegal to grow GMO alfalfa plants.. GMO crops are environmentally dangerous because they can readily spread, as proven by the wild GMO plants found in North Dakota. The Supreme Court never ruled on the issue of whether GMO plants contaminate natural plants through cross pollination.

Remember that the appointed Supreme Court judges collect their paychecks from the federal government. The USDA co-owns a patent with Monsanto for the 'Terminator' gene (which make seeds go sterile after one harvest). Is the Supreme Court's loyalty to the federal government, in this case protecting the 'Terminator' patent owned by the USDA and its business-partner Monsanto, or is their loyalty to the American people?

The Supreme Court has never accepted a GMO food safety case, which falls under the jurisdiction of the corrupt FDA. Organ damage and sterility have been linked to a GMO food diet in lab animals.

Many of the organizations that represent farmers whose farms appear to be compromised. For instance, Andrew Kimbrell of the Center for Food Safety has another tax-exempt organization that is pursuing the removal of natural colloidal silver from public use and has accepted \$1.75 million from the John Merck Fund, which has ties to the Rockefellers, who have been major financiers of biotechnology and food control for decades.

The [Sierra Club's own website](#) supports the United Nations Population Fund which has its roots in [eugenics](#) .

According to their own website, Earthjustice has a \$30 million budget and they support the [Sierra Club's mission](#)

against what they call the "overriding threat of spiraling population growth and over consumption", and a major objective is population control.

Monsanto's GMOs, which no one would want if they fully understood the health and contamination dangers, have thoroughly infiltrated America's farms and food supply by way of government regulations, which is how monopolies are created. The Rockefellers have practiced food control for generations and fund biotechnology. The US government has worked in opposition to farmers and public health in granting Monsanto patents on seeds, thus enabling Monsanto's licensing agreements with farmers that keep the farmers paying royalties even after they stop growing Monsanto products. The United Nations has been complicit in spreading GMO seeds across the world through WTO regulations and other means. Many environmental NGOs are accredited through the UN, "non-profit" organizations (tax-exempt is a better description because many of these 501(c)3 organizations reap plenty of profits) and tax-exempt foundations all work together to pursue the Agenda 21 Sustainable Development goals of depopulation and total control, using the environment as the excuse. For the full analysis of Food & Depopulation, please click on these links:

[The Rockefeller Family- Part One](#)

[Monsanto's Monopoly- Part Two](#)

[International Takeover by the UN- Part Three](#)

[Scams & Solutions- Part Four](#)

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**UPDATE 8/18/2010:**

There were 2 definitions for "ban" in the GMO sugar beet case:

1. Injunction: Plaintiffs requested a permanent injunction ( [also called a "ban"](#)) on planting GMO sugar beets, and the Judge rejected the request on August 16. No immediate "ban" on further planting, cultivation and processing has been imposed. Judge White referred the matter back to the USDA to perform an EIS (Environmental Impact Statement).

The USDA APHIS (Animal and Plant Health Inspection Service) was responsible for approving the GMO sugar beet seed for selling and planting in 2005, and they have been directed to provide the EIS.

In the GMO sugar beet case Judge White stated that "...APHIS's apparent position that it is merely a matter of time before they reinstate the same deregulation decision, or a modified version of this decision, and thus apparent perception that conducting the requisite comprehensive review is a mere formality, causes some concern that the Defendants are not taking this process seriously."

The EIS will be performed by APHIS despite Judge White's seemingly low opinion of APHIS.

[Click here for information on the injunction invalidation](#)

2. Vacating Deregulation: Federal Judge White did vacate the USDA order to deregulate GMO sugar beets; deregulation is the free sale and planting of the GMO seeds. Because Judge White vacated the GMO sugar beet deregulation, these plants are now regulated and there is a "ban"; they must undergo an EIS (Environmental Impact Statement) under the authority of the USDA APHIS.

- The Sugar Biotech Council interpreted this to mean that the Court's order does not interfere with the harvest and processing of Roundup Ready sugar beet crops planted before the date of the order, August 13. They also said that the harvested sugar may be supplied to the market without limitation.

Further, the council said that under the GMO alfalfa Supreme Court ruling, APHIS could adopt interim measures to allow plantings next season.

- One of the Plaintiffs, the Center for Food Safety, interpreted the ruling to mean that "the Court officially 'vacated' the the USDA 'deregulation' of Monsanto's biotech sugar beets and prohibited any future planting and sale pending the agency's compliance with NEPA and all other relevant laws."

### APHIS DEREGULATION PROCESS:

US Department of Agriculture's APHIS identifies GMO plants as "plant pests". In order to remove regulations from GMO "plant pests", the GMO manufacturer petitions APHIS if it believes that their plants are not "plant pests". APHIS is required to analyze the potential impact of that GMO plant on the environment. Generally, APHIS files a brief EA (Environmental Assessment), but if it determines that the seeds could significantly affect the environment, it must complete a detailed EIS (Environmental Impact Statement).

[Click here for the legal explanation](#)

### SUPREME COURT DECISION ON GMO ALFALFA:

APHIS failed to perform an EIS on GMO alfalfa before deregulating it and an injunction was placed on GMO alfalfa, so it went to the Supreme Court, with Monsanto as the Plaintiff. Both sides claimed victory in the Supreme Court's decision.

- [Monsanto](#) contended that they won the case because the nationwide injunction was reversed.

- The [Center for Food Safety](#) claimed victory because GMO alfalfa is now regulated until it is approved by APHIS after they conduct an EIS.

The process of GMO approval/ deregulation was the disputed issue, not the safety of the GMO plant. However, the dissenting judge John Paul Stevens did mention that planting should wait until the problem of gene flow could be prevented.

After APHIS completed a draft of the EIS, that determined GMO alfalfa was "unlikely to pose a plant pest risk", Geertson Seed Farm responded by arguing that incorrect conclusions were drawn from the data by APHIS, and the case went to the Supreme Court. [Click here for document citing flaws in the EIS](#)

CONGRESS:

According to an article from the GMO Journal, 75 members of Congress signed a letter urging the USDA to allow limited planting of Roundup Ready alfalfa while it completes the EIS (Environmental Impact Statement).

Click here for the [article](#) and [letter](#).

CONCLUSION:

The injunction against GMO alfalfa was overturned. The request for a permanent injunction on GMO sugar beet plants was refused.

Both GMO alfalfa and GMO sugar beets are awaiting APHIS' Environmental Impact Statements.

It appears that some key members of Congress are now urging the USDA to allow limited

planting of GMO alfalfa.

The Sugar Industry Biotech Council has indicated that APHIS could adopt interim measures to allow planting of GMO sugar beet seeds, based on the Supreme Court decision.

As previously pointed out in the earlier article, the USDA has a vested interest in Monsanto, as they co-own a patent on the Terminator gene. APHIS, an agency of the USDA will be performing the EIS reports for both GMO plants.

\*Due to a material error, this article was corrected on 8/18/10 and revised on 8/20/10, with apologies to anyone who was inconvenienced about this complicated matter in which both sides have used plenty of 'spin'.