



**May 21, 2004 Supreme Court Judgment – Schmeiser vs. Monsanto**

**Question and Answer Backgrounder**

**Q – Does the Canadian Seed Trade Association approve of the May 21st Supreme Court judgment regarding the Schmeiser vs. Monsanto Appeal?**

**A –** CSTA applauds the Supreme Court judgment because Canadian farmers are now ensured of access to leading seed technologies needed to compete on a level playing field for years to come.

We are pleased that today's Supreme Court decision recognizes that patents are an effective and necessary tool for protecting intellectual property and rewarding biotechnological inventions. Intellectual property protection tools, such as Plant Breeders' Rights and patents will continue to help Canadian research and development to flourish and research dollars to flow in.

Technology developers will be able to continue to ensure that clear, deliberate infringement of their technology is stopped.

The CSTA is pleased that today's Supreme Court decision recognizes that patents are an effective and necessary tool for protecting intellectual property and rewarding biotechnological inventions.

**Q - What does the seed industry plan to do about patented seeds showing up in farmer's fields?**

**A –** Technology developers are looking to stop clear, deliberate infringement of their technology. Unexpected, trace amounts are not deliberate and therefore would not be cause for companies seeking patent protection.

The seed industry has never claimed 100% purity, in fact low-level adventitious or unintentional presence is unavoidable and should be expected in biological processes. It occurs through natural pollen flow and mechanical handling. International discussions are taking place with respect to standardizing and validating seed sampling and testing procedures so that realistic and practical tolerance levels can be established.



**Q - What are genetically modified crops and why do we need them?**

**A -** Genetically modified (GM) crops are those that have been genetically enhanced using modern biotechnology to carry one or more beneficial new traits. The traits most commonly introduced by genetic modification are resistance to insects and tolerances to herbicides. Regulatory agencies ensure and many studies have shown that GM crops and foods are as safe as their conventional counterparts.

GM crops are becoming increasingly important to world agriculture in general, and Canadian agriculture in particular. They allow farmers to grow more food, better food, in ways that are better for the environment. More and more studies are quantifying the benefits of biotechnology. Benefits to farmers include: improved weed control, higher yields from land currently in production, limiting the risks of herbicide resistance, reducing pesticide use and providing more options to manage weeds and insects - all leading to improved farm incomes. Consumer benefits include better quality food that tastes better and keeps longer – produced in an economical fashion.

There are numerous potential benefits to consumers in future biotech innovations. For example, products with improved nutritional qualities: tomatoes that ward off heart disease and cancer, rice that is enriched with betacarotene to prevent childhood blindness, allergenic free peanuts, wheat, soybeans and milk, not to mention the range of plant-derived vaccines.

And we need this technology to feed an expanding and increasingly affluent world population on a shrinking agricultural land base.

For further information go to: <http://www.worldseed.org/FAQs.htm> or <http://www.croplife.ca/english/resourcecentre/bio-facts.html> or <http://www.whybiotech.com/>

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**Other interveners in the Schmeiser vs. Monsanto Appeal and their websites are:**

Canadian Canola Growers: [www.ccg.ca](http://www.ccg.ca)  
AgWest Biotech: [www.agwest.sk.ca](http://www.agwest.sk.ca)  
BIOTECanada: [www.biotech.ca](http://www.biotech.ca)