

Monsanto's Uphill Battle in Germany

By Uwe Buse

Business is booming worldwide for US biotech giant Monsanto but in Germany the company has encountered fierce resistance. A colorful alliance of beekeepers, anti-capitalism protestors and conservative politicians are in the process of chasing the global market leader out of the country.

When Karl Heinz Bablok wants to relax and get away from his job at the BMW plant, he hops on his bike and cycles out to Kaisheim, a quiet town in Germany's southwestern Swabia region. It doesn't take Bablok long to reach his destination, sitting in the middle of a meadow: an apiary, made of rough-cut boards, which he made himself.

Bablok, an amateur beekeeper and skilled handyman, spends much of his free time here, repairing the apiary in the winter and making honey in the summer. The apiary is where Bablok's recharges his batteries, the place he goes to store up the energy he needs for everyday life and for his job at the BMW plant's training workshops. The apiary was supposed to be a very private place -- far away from work and, most of all, far away from the public.

But the apiary and the honey he produces there are no longer private. His honey is now at the center of a dispute being staged in German courts, and observed and influenced by both politicians and the media. And it has drawn Bablok, a man who just wanted his peace and quiet, into one of Germany's major ideological debates -- a battle that has been waged for years in the courts, in the political arena and in the fields, with words, scientific studies and sometimes fists.

On one side of the battle are the genetic engineering companies, and in particular US corporation Monsanto, the world's largest producer of seeds, which practically holds a monopoly on genetically modified (GM) plants. Monsanto produces the only modified plant approved for use in commercial farming in Germany, a corn variety that is used for animal feed. The primary benefit of the plant, called MON 810, is that it produces a toxin that allows it to fight off one of its enemies, the voracious larvae of a moth.

On the other side stand Monsanto's many adversaries, a heterogeneous alliance that brings together organic farmers, anti-capitalism activists, churches and politicians with the conservative Christian Social Union, the Bavarian sister party to Chancellor Angela Merkel's Christian Democrats.

The dispute between the two camps revolves around the opportunities and risks involved in green genetic engineering. It's about companies that are playing God and about fundamental questions like: What should man be permitted to do? What can science do? And should we be allowed to do things just because we can? The dispute is also about freedom and its limitations, the freedom to carry out research, and the freedom of consumers, farmers, beekeepers and a corporation. Where does one side's freedom end and the other's begin, and who draws the boundaries?

Honey for the Waste Incinerator

Bablok became part of the controversy because some of his bee colonies were collecting pollen from fields where the Bavarian State Research Center for Agriculture was growing GM corn for research purposes. The bees carried the pollen back to their hives and Bablok, who knew that the GM cornfields were nearby, had samples tested to ensure that his honey was clean. But the laboratory found that up to 7 percent of the pollen was from GM plants. When the case became public, a district court in the Bavarian city of Augsburg ordered Bablok to stop selling, or even giving away, his honey. As a result, he became Germany's first beekeeper who delivered his honey to a waste incineration facility. Now Bablok is suing the Bavarian State Research Center for Agriculture to recover his costs and his lost sales, which he says amount to about €10,000.

The suit is complicated and has already passed through two courts. A third court is due to hear it soon and both sides are seeking a judgment establishing a principle. The case is about more than just Bablok's costs and the purity of German honey. In fact, the future of green genetic engineering in Germany is at stake. A victory for Bablok would further discredit MON 810. In the public's perception, it would transform the plant into a hazard for human beings.

Bablok, sitting in his kitchen, is an easygoing man given to long pauses between sentences. File folders are arranged on the table in front of him containing motions filed by his attorneys from Berlin, people who are familiar with the material. A beekeepers' association is helping to pay their fees. The folders also contain the motions filed by the opposing parties' lawyers. They are being represented by the law firm of Freshfields Bruckhaus Deringer. With its 2,500 attorneys, the firm is about as global as Monsanto.

The documents are extensive, weighty and complicated. The core issue revolves around whether Bablok's genetically modified honey is subject to the licensing regulations set down by European Union food law. The attorneys for the Bavarian State Research Center for Agriculture say no. Bablok's lawyers say yes. The question is so important because Monsanto's corn can only emerge from the case unscathed if the judges rule that Bablok's honey is not subject to the food licensing regulations.

Although the loss of sales has affected Bablok, it has not spoiled beekeeping for him. He will set up his hives again this year, just in other locations. He is also trying to forge an alliance of beekeepers in the region. His plan -- his revenge -- is to make Kaisheim and the surrounding area bee-free, so that there will be no bees to pollinate plants in the area.

Nowadays Bablok follows the case from afar. He says that the matter is now "in the hands of the thinking people," the attorneys from Berlin. As a factory worker, he says, he has long since given up trying to understand their arguments.

Monsanto's German headquarters are located in a business park in Düsseldorf. Only two postcard-sized brass plates at the entrance of a high-rise building, which are easy to overlook, identify the offices. Monsanto is known for its efforts to avoid the public. Ursula Lüttmer-Ouazane greets us in a conference room with her firm handshake. A resolute woman, she is in charge of Monsanto's operations in northern Europe, including Germany. Her career began with an agricultural apprenticeship and she never attended a university. The challenges of rising to the top in a male-dominated industry are reflected in the lines in her face.

Lüttmer-Ouazane has been in the business for 30 years. She began working for Monsanto 10 years ago, after stints with some of the major players in the industry, including BASF, Novartis and Syngenta. Lüttmer-Ouazane has never romanticized agriculture, which she regards as applied chemistry.

Monsanto's annual report lies on the table in front of Lüttmer-Ouazane. These are good times for the group, globally speaking. Last year Monsanto doubled its profits to about \$2 billion (€1.6 billion). The food crisis in the spring of 2008 drove its stock up to an all-time high of \$142 a share. New GM plants boosted sales in South America, leading Monsanto CEO Hugh Grant to announce ambitious goals, which included doubling profits once again by 2012. Grant sees great potential in developing countries, where Monsanto is pinning its hopes on a draught-resistant variety of corn that it plans to begin selling soon.

Europe and Germany were assigned the roles of prestige markets in the company's business plan. For the critics of genetic engineering, this is not just about hundreds of thousands of hectares planted with corn, rape, soy or cotton, but about making headway in the fields in general.

When Lüttmer-Ouazane started working for Monsanto 10 years ago, her goal was to see 40,000 hectares (99,000 acres) cultivated with Monsanto's MON 810 corn by 2009. It did not seem to be such an unattainable goal, representing as it did only about 1 percent of all land planted with corn in Germany.

And yet Monsanto ended up falling well short of that goal.

While GM corn is grown on about 30 million hectares (74 million acres) in the United States, Canada and Argentina, and about an additional 3 million hectares (7.4 million acres) in South Africa, Brazil and the Philippines, only about 4,000 hectares (9,900 acres) of GM corn were registered by German farmers with the Federal Office of Consumer Protection and Food Safety. Lüttmer-Ouazane miscalculated -- in many respects.

She had hoped to find substantial supporters among Germany's politicians, but found very few. Only members of the pro-business Free Democrats or the Federal Ministry for Education and Research occasionally speak out in favor of promoting green genetic engineering. It has almost been a replay of familiar arguments from previous debates, for example about the phasing out of nuclear energy or about proposals to build the Transrapid high-speed train in Germany. Proponents argue that green genetic engineering is also a key technology, and that it plays an important role in demonstrating Germany's future viability. But these are weak arguments that just come across as vague speculation about the future.

Few Sympathetic Ears in Parliament

The vast majority of politicians remained unconvinced. They saw no reason to support a company that uses a highly controversial technology to create a product rejected by the majority of Germans.

Lobbying work, which can be successful and reliable in markets like the United States, did not produce the desired results in Germany. Many organizations in both Berlin and the states were engaged to help generate a greater acceptance for green genetic engineering: Organizations like InnoPlanta in the eastern state of Saxony-Anhalt, the German Crop Protection and Fertilizer Industries Association in Frankfurt am Main and Europabio in Brussels. Their members have attempted to find a sympathetic ear for the cause among members of parliament.

In January 2007, representatives of the major political parties gathered at the state parliament in the eastern state of Brandenburg to hear a group of US experts explain the benefits of green genetic engineering to them. The main speaker was American genetic corn farmer Don Thompson, while his wife, Jill Long Thompson, a former Under Secretary of Agriculture, was available to address possible "legislative issues." But lobbyists for green genetic engineering cannot claim any real successes. "We expressed our views on the issue when the Genetic Engineering Law was written," says Lüttmer-Ouazane, "but we cannot be satisfied with the outcome."

(Eds: On Jan. 25, 2008 the German parliament, the Bundestag, voted in favor of an amendment to the Genetic Engineering Law. In the future, fields of GM and conventional corn would have to be separated by a distance of at least 150 meters. In the case of organic corn that minimum distance doubles to 300 meters. The law's liability provisions continued to stipulate that farmers who plant GM crops are liable for loss of income suffered by neighboring conventional farmers as a result of the GM presence.)

According to Lüttmer-Ouazane, the liability rules impose a one-sided burden on farmers willing to give green genetic engineering a chance. These farmers are faced with considerable bureaucratic red tape, says Lüttmer-Ouazane, and the required spacing between GM corn and conventional or organic corn is too large. Lüttmer-Ouazane is no friend of Berlin's political machinery and its results.

But the politicians are not her only problem. She also encounters adversaries in places that do not look like centers of political resistance.

A few weeks ago, Michael Grolm was standing on a tower high above Tonndorf in the eastern state of Thuringia, and high above the castle where he lives. Reaching Grolm requires walking up wooden steps that are crooked and worn from the previous generations that have climbed up to the top of this tower.

Made of rough-cut stones, the tower is so old that it was depicted in paintings dating back to the Renaissance. The castle was first mentioned in writings from the 13th century and it is a protected landmark today. And, with its moat and its walls, it is also a bastion against change.

'No Tangible Benefits for the People'

About 60 men, women and children live there. Three years ago, they formed a cooperative and purchased the castle, which was empty at the time. Now an alternative cultural center is taking shape there, including an ecological Ark. For Grolm, this demonstrates that old ways have a right to exist, and that they do not have to be watered down to make way for something new. There is probably no other place that suits him as well as this castle community. Grolm has been living here since the project began, and he plans to stay forever. He has even picked out his gravesite -- in a back meadow filled with scattered fruit trees.

"Over there," says Grolm, pointing from the tower to a spot outside the castle walls. "There is still some neglected grassland over there, extremely rich in species that are hard to find nowadays. All you have to do is throw some chemical fertilizer on it and it's finished." The meadow orchards are adjacent to the grassland and in the summer, Grolm places a few beehives among the trees.

Grolm, like Karl Heinz Bablok, is a beekeeper. But it's more than a hobby for him -- it's his profession. The fruits of his labor can be inspected on a table in the castle, where Grolm discusses the individual varieties the way a vintner talks about his wine. "Here we have white pine honey from the Black Forest, which is malty and delicately aromatic. And this is sweet chestnut honey from the Palatinate, tart, slightly bitter."

Grolm loves his profession. He also loves nature, the way God created it, and he devotes a great deal of energy to fighting the version of nature developed by Monsanto.

Grolm is the spokesman, co-founder and front man of Gendreck Weg! (Chuck Out Genetic Muck!), an initiative, founded five years ago at his kitchen table, for opponents of genetic engineering who want to do more than argue and stage protests. The group gives ordinary citizens the chance to get involved in activism, filling a gap in the network of non-profit organizations. Lüttmer-Ouazane rolls her eyes when

she hears Grolm's name.

Grolm and his friends organize events they call "field liberations." They travel to fields where MON 810 or GM research plants are growing, and pull them out of the ground. The events are public and are announced ahead of time on the Internet. The arrival of the police is expected and is not perceived as being overly disruptive to the event.

Grolm can be counted as one of the fundamentalists when it comes to adversaries of Monsanto. He wants to transform Germany into a genetic engineering-free zone and goes further advocating the abandonment of all industrial agriculture, or agro-business. Grolm is a romantic: "We certainly still have farmers who work their fields with horses and plows," he says.

Fighting a Demon

In the dining room of the castle, Grolm and a fellow combatant describe a vision of a future in which an inhuman corporation controls the world food supply. They talk about residual risks, patents on life (or bio-patents) and the release and irretrievability of manmade organisms. They paint a picture of a ghastly world in which living is no longer worthwhile. Their concept of the enemy is so all-encompassing that after listening to them for a while one begins to feel that they are not talking about a company that is fighting, albeit with morally dubious methods, for what it believes to be its rights, but about a demon.

Grolm is fighting against this demon and for a better world. He is a known entity among the opponents of genetic engineering, and has become the poster child of the movement. Indeed, many opponents of Monsanto idolize Grolm. In the fall of 2008, the readers of the left-leaning newspaper *Die Tageszeitung* awarded him their "Panther Prize," an honor for civil courage.

The field liberations usually begin by setting up a tent camp near the GM field, followed by a demonstration and, at some point, the culmination of the event -- a sprint into the field. The field liberators lead the charge and the police are usually not far behind, rapidly closing in on the activists. Sometimes helicopters circle overhead, creating scenes reminiscent of the protests at the construction site of Germany's Brokdorf nuclear power plant in the mid-1970s -- and of the exciting, heady days of the anti-nuclear power movement.

Grolm has based his group's actions on that movement and its strategies, once again employing the concept of peer groups whose members keep an eye out for each other, and providing nonviolent resistance training before every field liberation. However, a new element in the modern-day campaign is the activists' well-organized cooperation with the media. Gendreck Weg! cameramen run alongside the field liberators, documenting the liberation of each field. The most experienced of the activists can even look at the camera and deliver what amount to lectures while running in a crouched position from plant to plant. The videos are then broadcast on the Internet, on sites such as cinerebelde.org, a hub in the network of anti-globalization activists that provides "images of a world in struggle."

The field liberations usually end in arrests. If the cases go to trial, the judges usually sentence the offenders to nothing more than a fine. The fines, and court costs, are paid with the proceeds from a donations account.

The field liberators are doing well, both financially and morally. They see themselves on the morally superior side of the argument, and they are not deterred by convictions. In fact, they see them as badges of honor. Grolm expects to spend a few days in jail soon because he refused to pay a fine. He says he is looking forward to it, pointing out that it will turn into yet another happening, complete with scores of tractors, banners, food provided by local supporters and inspiring tales of recent coups. Grolm's group has much to celebrate.

'True Heroes'

Last year, the Nürtingen-Geislingen University of Economics and Environment discontinued its field trials of GM corn after its fields were destroyed. Other organizations, such as the Max Planck Institute for Molecular Plant Physiology, based in Potsdam near Berlin, and the Leibniz Institute of Plant Genetics in Gatersleben in central Germany, are not risking field trials at the moment. In 2008, the Federal Office of Consumer Protection and Food Safety's site register listed 39 field trials. This year, only one has been listed to date.

For Lüttmer-Ouazane at Monsanto, Grolm and his cohorts pose as much of a problem as the members of parliament in Berlin. The politicians have forced her and Monsanto, she claims, into a narrow legal framework and robbed them of their freedom of movement, while Grolm's campaigns deprive Monsanto of its customer base and its key argument in the struggle with its opponents: that a growing number of German farmers want, need and use GM corn. Lüttmer-Ouazane describes the few farmers who buy her

corn, in the face of all opposition, as "true heroes."

There are not many of them. One is Reinhard Dennerlein, a man with a sturdy build and a defiant attitude. Standing on his farm in the Bavarian town of Kitzingen, between his house and farm buildings, Dennerlein says he doesn't like to be called a hero, though he isn't overly fond of the term "farmer," either.

"Farmers," says Dennerlein, wrinkling his brow, "have always been at the very bottom of society, trampled on for centuries by everyone else." He is not a farmer, he says, but an agricultural entrepreneur who specializes in fattening hogs. Dennerlein, who has 2,000 hogs in his stalls, agrees with Lüttmer-Ouazane's definition of agriculture as being mainly applied chemistry. The equation that makes sense to him is that the right substance, applied at the right time and in correct amounts, guarantees the desired hog. Dennerlein has little patience for romantics like Grolm, or for consumers who complain about factory farming but are unwilling to pay more than €1.99 (\$2.50) for a pork cutlet.

"Sustainability," says Dennerlein, "is when a company operates in the black." And turning a profit, he says, requires strict cost control and the best and most consistent starting material possible. This is why he buys his piglets from a factory farm in the Netherlands instead of from regional suppliers. They arrive on trucks, 620 piglets per shipment, and Dennerlein fattens them with his own corn.

It was a moth which led him to grow MON 810 for the first time last year. Like many farmers in the area around Kitzingen, Dennerlein has been waging a longstanding war against the European corn borer moth. In 2006, the moths descended upon the cornfields and laid their eggs. The resulting larvae ate their way into the plants and destroyed about 40 percent of the harvest, despite the use of pesticides. 2007 was a better year, but still not a good one, prompting Dennerlein to sow MON 810 seed in 2008.

As required by law, Dennerlein had his planned use of the GM seed recorded in the site register of the Federal Office of Consumer Protection, which is open to the public and viewable online. A short time later, activist Michael Grolm appeared on Dennerlein's farm, wearing his beekeeper's outfit.

After a friendly greeting, Grolm introduced himself and informed Dennerlein that he was about to receive a visit -- by Gendreck Weg! -- and that the group planned to liberate his fields. It was nothing personal, Grolm said, and no one would be harmed.

Dennerlein disagreed, noting that he would most certainly be harmed, economically speaking. "But what can you do against these people?" he says, shrugging his shoulders, pointing that he cannot exactly transform his farm into a high-security zone.

The field liberators came at night. Dennerlein says that they uprooted the wrong plants, not the genetically modified ones, and that he harvested his GM corn in October: "10 tons per hectare -- flawless." Dennerlein also knows exactly how much money he saves by using MON 810. It is an important number, perhaps even the most important number of all for him. It appears at the bottom of his balance sheet, and it describes the direct benefit that MON 810 provides, perhaps its only real benefit. It is a number that should correspond to the scope and intensity of the conflict, a number meant to impress.

The number is 43. Dennerlein saves €43 (\$54) per hectare. That is the amount he saves on pesticides because MON 810 is a more reliable killer. Dennerlein calls this number his palpable savings: €43. It may seem like a lot of money for Dennerlein, but it is not exactly a strong argument for green genetic engineering.

A New Adversary

Dennerlein is a tenacious man. He refuses to allow a handful of environmental activists to dictate to him what he can and cannot grow on his land. This is why he intends to sow MON 810 once again this year, but it's now highly uncertain if he will actually be able to go ahead with his plan. In fact, it is quite possible that Dennerlein will plant nothing and that Lüttmer-Ouazane will have to write "not a single hectare planted with MON 810" in her report to Monsanto's US headquarters. A few weeks ago, the farmer and the executive acquired a new adversary.

Germany's Agriculture and Consumer Protection Minister Ilse Aigner recently told the *Berliner Zeitung* newspaper that the government was looking into banning Monsanto's GM corn. She noted that green genetic engineering "has so far not yielded tangible benefits for the people," and that consumers are opposed to genetically modified plants and farmers don't want them.

Aigner is having staff in her ministry look into whether the government can revoke the license for the cultivation of MON 810, because the GM corn not only decimates the European corn borer moth, but other, beneficial, insects as well.

If Aigner prevails against opposition from German Education and Research Minister Annette Schavan, the outcome of her staff's efforts could look something like this: Monsanto would be subject to new requirements, and the license for MON 810 would be temporarily revoked prior to this year's seeding and not renewed until after elections to the European Parliament in June. This could provide a boost to Aigner's party, the CSU, if she could portray it as a success ahead of the elections.

For now Dennerlein, the hog farmer and MON 810 fan, is not taking such reports seriously. He has a low opinion of politicians, noting: "They suffer from the constant pressure to raise their profile. What can you do?"

Bablok, the amateur beekeeper, hopes for the best: for himself, for his bees and for his lawsuit. Michael Grolm, the field liberator, says that he will not believe the minister until she has actually announced a ban.

And Monsanto? It says that it wants to have a conversation, for now.

Translated from the German by Christopher Sultan

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