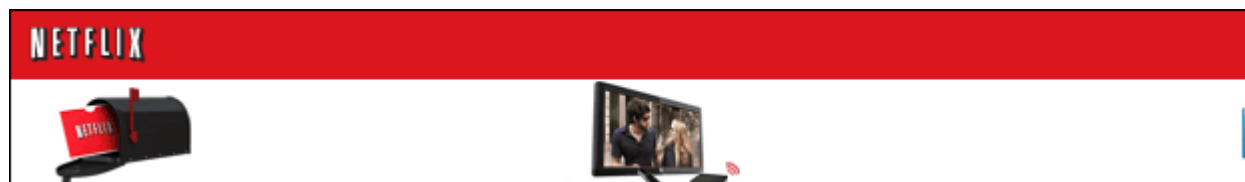


Los Angeles Times | BUSINESS

LOCAL U.S. WORLD BUSINESS SPORTS ENTERTAINMENT HEALTH LIVING TRAVEL OPINION

MONEY & CO. TECHNOLOGY PERSONAL FINANCE SMALL BUSINESS COMPANY TOWN JOBS REAL EST.

IN THE NEWS: JAYCEE DUGARD CASE | 'DANCING WITH THE STARS' 2011 | JANE RUSSELL | OSCARS | LIBYA



Money & Company

TRACKING THE MARKET AND ECONOMIC TRENDS THAT SHAPE YOUR FINANCES.

[Real Estate](#) | [Autos](#) | [Consumer](#) | [Economy](#)

[« Previous](#) | [Money & Company Home](#) | [Next »](#)

Court sides with USDA, Monsanto over cultivation of genetically modified sugar beet seeds

February 25, 2011 | 3:48 pm

(29) (40) Comments (16)

The U.S. 9th Circuit Court of Appeals has reversed a lower court’s ruling to destroy the young plants currently being grown to produce genetically modified sugar beet seeds with Monsanto’s Roundup Ready genes.

In a 21-page opinion -- in which Judge Sidney R. Thomas tapped his inner literati and waxed on with references to author Michael Crichton, William Shakespeare’s “Richard II” and Olivier de Serres, the father of French agriculture -- the court essentially opened the door for the seeds to be grown and available for the coming 2012 sugar beet planting season.

Whether these seeds will ever be planted in the dirt, however, is still unclear.

U.S. District Judge Jeffrey White in San Francisco dismissed a request for an injunction that would have barred the U.S. Department of Agriculture’s plan to let the beets be cultivated this year. And last summer White revoked the USDA’s deregulation of these genetically modified, or GM, sugar beets, saying the agency had to first complete a more thorough environmental impact study.

White, however, allowed the USDA’s Animal and Plant Health Inspection Service to figure out how to regulate the crop until the report was complete. The agency issued out some permits that allowed some growing of the GM sugar beet stecklings, or the rootstock needed to produce seeds.

That prompted the plaintiffs in the case -- including the Center for Food Safety and the Sierra Club -- to file another lawsuit, arguing that the USDA's action violated the National Environmental Policy Act and requesting that the stecklings be destroyed.

White sided with the plaintiffs and, in December, ordered the young plants -- which are poised to

L.A. Times

Sign Up

Jane siren 'The' 3,183

Bicyc be a Coun 1,113

Stay conn



produce the majority of the sugar beet seeds needed to fill domestic orders -- be destroyed.

But the 9th Circuit disagreed. On Friday, the court overturned that order, finding that the growing permits issued by the USDA should be given "full force and effect." The court also found that the plaintiffs had failed to prove that the stecklings would cause irreparable harm.

Citing the book "Jurassic Park," Thomas wrote, "The alleged irreparable harms are little more than an expression that 'life finds a way' However, an invocation to chaos theory is not sufficient to justify a preliminary injunction."

-- P.J. Huffstutter

@ Twitter: @latimesbiz
Facebook: latimesbiz

More in: [Agribusiness](#), [Food and drink](#), [Lawsuits](#), [Legislation](#), [P.J. Huffstutter](#)

Verify your Comment

Previewing your Comment

Posted by: |

This is only a preview. Your comment has not yet been posted.

Your comment could not be posted. Error type:
Your comment has been saved. Comments are moderated and will not appear until approved by the author. Post another comment

The letters and numbers you entered did not match the image. Please try again.

As a final step before posting your comment, enter the letters and numbers you see in the image below. This prevents automated programs from posting comments.

Having trouble reading this image? [View an alternate.](#)



Post a comment

If you are under 13 years of age you may read this message board, but you may not participate. Here are the full legal terms you agree to by using this comment form.

Comments are moderated, and will not appear until they've been approved.

If you have a TypeKey or TypePad account, please [Sign In](#)

Name:

E-mail Address:

How to r

To pass on stor
contact our rep

To reach us by

Email: **busine**

- Lauren Beale**
- Ken Bensing**
- Sharon Bern**
- Susan Carpe**
- Andrea Chan**
- Walter Hami**
- Duke Helfan**
- W.J. Hennig**
- Michael A. H**
- Jerry Hirsch**
- Craig Howie**
- Tiffany Hsu**
- P.J. Huffstut**
- David Lazar**
- Alejandro La**

Recent I

Consumer Co
sales rise, free
9:53 am »

Rolls-Royce j
Phantom Exp
9:48 am »

Wall Street R
reform. Why t
am »

Bernanke dov
Middle East t
actions | *Marc*

Be careful of
6:00 am »

Recent C

*On: Bernanke d
Middle East tur*

Still not c
say it aga

*On: Bernanke d
Middle East tur*