

Settlement of Genetically Modified Rice Lawsuits with Bayer Cropscience

Richard J. Arsenault, attorney for U.S. rice farmers, notes the "long, hard fought battle" has finally produced an "excellent result."

St. Louis, MO -- July 04, 2011 (MDL # 1811 U.S. District Court, Eastern District of Missouri)
Bayer CropScience has agreed to a \$750 million dollar global settlement with rice farmers over contamination by Bayer's experimental "Liberty Link" genetically modified rice. The controversial GMO (Genetically Modified Organism) was discovered in the U.S. commercial rice supply in 2006, causing a plunge in exports to Europe and slamming the rice industry.

Under the terms of the global settlement, Bayer has agreed, subject to certain terms and conditions, to settle pending claims for payments not to exceed \$750 million. Prior to this agreement, Bayer had lost several jury trials and settled an additional three cases before they reached a jury.

"This settlement is validation for American rice farmers," said Richard J. Arsenault, chair of the court-appointed executive committee for the plaintiff farmers. "It was a long, hard fought battle, but certainly worth the effort, and we're pleased with the result."

Arsenault, of the Louisiana-based Neblett, Beard & Arsenault law firm, is a veteran of class actions and complex litigation. He represents many of the rice farmers involved in the litigation.

The settlement will be open to long-grain rice farmers in the United States, affecting well over 8,000 farming operations. A Claims Administrator has developed computer programs to administer the settlement process.

"We wanted to ensure that the farmers received fair compensation for their losses" explained Arsenault. "The farmers believed in us and we believed in them. It created a bond and momentum that sustained us throughout the many years of aggressively fought litigation."

According to lawsuits (MDL # 1811), farmers in five states claimed Bayer negligently contaminated the U.S. commercial rice crop with genetically modified LLRICE 601 and LLRICE 604, leading to export restrictions, bans on two varieties of high-yield seed and a plunge in prices. Within days of the restriction announcements, the decline in rice futures had already cost American rice farmers many millions.

"Our perseverance paid handsome dividends for deserving farmers," concluded Arsenault.

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