

20 years after his battle with Monsanto, Percy Schmeiser remains proud of his progress

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Saskatchewan farmer Percy Schmeiser smiles as he leaves the Supreme Court of Canada in Ottawa on Tuesday, January 20, 2004. Photo: The Canadian Press / JONATHAN HAYWARD

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The legal battle has been around the world: biotechnology giant Monsanto against Bruno's farmer in Saskatchewan, Percy Schmeiser. David against Goliath. Twenty years later, although he lost his case in the Supreme Court, the 87-year-old remains proud to have sparked the discussion on genetically modified organisms.

On August 6, 1998, Percy Schmeiser received a letter from biotechnology giant Monsanto. He was sued because in his fields was genetically modified canola, the Roundup Ready Canola. The crop in question was created by the multinational to resist the herbicide of the same name, Roundup, and thus be stronger and more generous.

Percy Schmeiser's defense was that this canola was accidentally found among his crops. As farmers seed from their seed of the previous year, for Schmeiser, this modified canola was inseparable from the one he owned. Farmers who wanted to use Monsanto's Roundup Ready

canola had to buy new crops every year.

"It has never been Monsanto's policy to exercise our patent rights when crops, which contain Roundup-resistant canola, end up in a field unintentionally or unexpectedly. But with Schmeiser, that certainly was not the case," said Monsanto's director of public affairs and industry today, Trish Jordan.

A long battle

The confrontation between a big corporation that wanted to defend its intellectual property and a small producer pleading for traditional agricultural values made a big splash in the country, but also on the international scale.

It completely changed our lives.

"It was a very difficult situation because of the public nature of it all. It was a lot of pressure on our family and a lot of our privacy was gone," recalls Percy Schmeiser.

It was thanks to the financial support of people who believed in the cause that the Schmeiser family was able to find ways to continue the struggle.

"You have a billion dollar company fighting a farmer who is far from having the same resources. It was really difficult," says Schmeiser.

He had bet everything in this battle, which lasted six years and which completely exceeded it. "For a long time, we did not know if we would stay home and if we could keep the house given the very high legal fees we had to cover to deal with a company like this," says-t -he.

The case was first heard in the Federal Court of Canada. Percy Schmeiser subsequently appealed the decision to the Federal Court of Appeal to finish before the Supreme Court of Canada, which also ruled in favor of Monsanto, but in a close decision of five against four.



Percy Schmeiser says his wife Louise has been very supportive throughout his battle with giant Monsanto. Photo: The Associated Press

Far from being a defeat

Despite this ruling, Percy Schmeiser sees it all as a victory because the Supreme Court has simply ordered that both parties pay their legal fees. The farmer did not have a penny to pay to Monsanto.

"At the end of the day, this story has come to an end and we have brought to the attention of the world what GMOs are and the problems they can create for farmers," he says.

"We have always thought that if you grow a product or a seed on your land, you should have the right to reseed it and that right should not be removed," he says today.

A few days before the 20 years of this most publicized trial, Percy Schmeiser is just as troubled by the fact that a corporation like Monsanto can own a crop operated by small producers.

"In the beginning, people settled in this country to be free and for farmers to grow the plants of their choice. This right should not be violated. We still think it's not fair," he says, still convinced.

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As for Monsanto, the company has not emerged unscathed from this legal battle either. Throughout the process, she was considered the wicked big corporation.

"It was really the big company against the perception of a small farmer who did nothing wrong. People love these stories of ordinary heroes," says Trish Jordan, director of public affairs and industry at Monsanto.

It ensures that the negative effects of this battle have been limited and that Monsanto has continued to grow and design new biotechnologies. For the multinational, this trial was an emblematic case, but today it has turned the page.

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