

Organic farmers dig in for another court challenge
Saskatchewan News Network; Regina Leader-Post
Friday, May 27, 2005

REGINA -- Saskatchewan organic farmers want another crack at launching a class-action lawsuit against two multinational companies.

The farmers filed court documents in Regina this week, seeking leave to appeal a May 11 ruling that rejected their efforts to have a lawsuit against Monsanto Canada and Bayer CropScience certified as a class action.

JUDGE RULED OUT CLASS-ACTION SUIT

The farmers want compensation for losses they say are the result of the introduction of genetically modified canola and contamination of organic fields. But a Saskatoon judge ruled that a class action would not be the preferable way to proceed with the case.

Two farmers were named as plaintiffs in the suit, which aimed to include all Saskatchewan organic farmers certified from 1996.

Farmers involved with the Organic Agriculture Protection Fund (OAPF), which supports the lawsuit, say the judge erred in determining the plaintiffs would not adequately represent the interests of the class.

"She seemed to have pre-judged our arguments before even giving us a chance to get certified," said Marc Loiselle, research director with the OAPF committee. "We felt it's very important (to try and appeal) because we want our day in court at a trial, to be able to discuss the merits of the case."

NEED TO POOL RESOURCES

The Saskatoon lawyer representing the farmers said without the class-action status the claim may not "see the light of day."

"It's kind of hard to get the public support that we need to fund the litigation with just having a few farmers involved," said Terry Zakreski.

"We want to bring it on behalf of the entire class so people can band together, pool their resources and become as strong as what Monsanto or Bayer would be in court."

The two companies had applauded the earlier ruling, saying it confirmed that the farmers' claim lacked merit.

© The StarPhoenix (Saskatoon) 2005