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Photo credit: Bernard Tobin, 2014

WHY AREN'T BEEKEEPERS SUING FARMERS? A CLOSER LOOK AT THE NEONIC CLASS-ACTION LAWSUIT

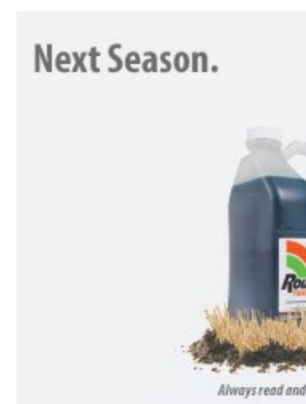
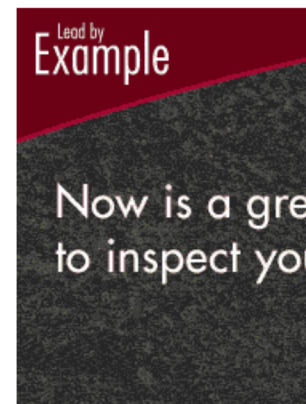
Posted by: Lyndsey Smith September 29, 2014
in Beneficial Insects, Eastern Canada, Industry Issues, Opinion, United States, Western Canada 4 Comments

Two large honey producers in Ontario recently hired a law firm **to launch a class-action lawsuit** against Syngenta and Bayer (the parent of Bayer CropScience) regarding the sale of the companies' neonicotinoid seed treatments for corn and soybean.

The beekeepers are seeking \$450 million in damages and losses to bee hives and honey production dating back to 2006 on behalf of those beekeepers who join the suit.

I've already stated **I'm not a big fan of bans**, but this suit in particular has really not sat well with me since its announcement. My big issue? Something doesn't add up — if beekeepers want to claim negligence or sue for damages based on neonics harming their bees, why aren't they suing farmers? Or, to take it one step further, why not the PMRA?

After all, the suit claims damages and bee losses stemming from negligent use of neonics. Farmers — not crop protection companies — are those using the products. What's more, farmers are using the products according to a registered label, a label approved by Canada's Pest Management Regulatory Agency. If beekeepers want to point a finger and demand compensation, who really has been negligent? PMRA for approving it, or farmers who are using it?



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Attacking farmers just isn't going to play into anyone's sympathies, but "Big Ag shall pay!" has a much better ring to it, don't you think?

Now, let's pretend for a moment, that these beekeepers did place the blame squarely on corn and soybean growers. What then? Perhaps farmers should then turn it around — beekeepers are caring for livestock, livestock that leaves their property to collect nectar, moving pollen around in the process. While some crops need pollinators to set seed, most field crops do not (though some do benefit from the added pollination). If I had cattle that needed grass, can I let them loose on a neighbour's land? The manure is beneficial! Perhaps grain farmers should consider bees as livestock and ask that beekeepers put up better fences. Or maybe beekeepers, in the interest of bee safety should limit bee movement to within their own land boundaries.

I'm not seriously suggesting this, of course, but if you look to Western Canada (where farmers there also use neonicotinoids), beekeepers and farmers work in tandem. In fact, we know that bees foraging on canola bumps yield (yes, even though the crop has been treated with neonics) and we know that beekeepers depend on the yellow-flowering crop to reach the production levels they do. (Sorry, consumers, but there are very few clover fields anymore). But don't take my word for it; hear from beekeepers themselves in a short video series on the topic available here.

We know that bees and neonics CAN and DO interact safely. So much so, in fact, that the Alberta Beekeepers Commission has publicly stated they won't be joining or supporting the Ontario-based lawsuit. What's more, in Ontario, farmers moved swiftly this last growing season to spend their money paying for Fluency Agent to minimize dusting off (and climbed on to the back of planters to mix it in by hand). Farmers are willing to add deflectors to planters (though not all models had available units for 2014) and place earlier-than-normal seed orders for non-neonic-treated seed — the evidence suggests not just an understanding of the value of protecting pollinators, but also a real willingness on the part of farmers to take real action in this protection.

From where I sit — and feel free to tell me I'm wrong — it looks to me like this class action lawsuit has very little to do with what's best for bees, beekeepers, and agriculture and everything to do with media attention, money and an activist agenda.

Related: Ontario premier mandates OMAFRA to "meaningfully reduce" neonic use by 2015

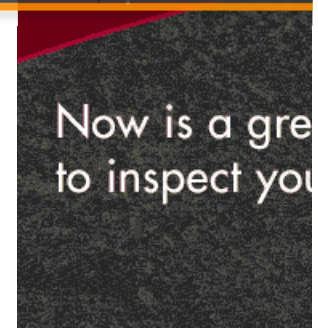
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About Lyndsey Smith



Lyndsey Smith is the editor of RealAgriculture.com, and based at Winnipeg, Manitoba. A self-proclaimed agnerd, Lyndsey is passionate about all things farming but is especially thrilled



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4 comments

Bernie Wiehle

September 29, 2014 at 7:51 pm

Lyndsey you are wrong – plain and simple. The reason we are not suing farmers is simple. The farmer is not causing the problem. The problem is the product. It cannot be applied in a manner that is safe for anything or anyone. The Chemical industry has been actively trying to pit farmer against beekeeper. We will not fall for this trap!

Your last comment is absurd. The beekeepers involved are some of Ontario's largest and best beekeepers who are fed up with this nonsense and want firstly compensation for their losses and secondly and maybe more importantly a change in the way these products are used and the way the chemical companies market the product.

The arguments that you make are ridiculous and show a complete ignorance to issue. Perhaps it would be best if you spent some time speaking to beekeepers who have been affected instead of being the lick spittle of the Ag Chem industry.

Reply



Lyndsey Smith

September 30, 2014 at 5:49 am

A few points: this column makes it clear that I don't actually want or expect beekeepers to sue farmers (the phrase is "tongue in cheek," which I would think you'd know seeing as you throw around the term "lick spittle." Well done!). Also, the products at issue have been through our regulatory process — if these products "cannot be applied in a manner that is safe for anything or anyone" how did it get through the regulatory process? I'm not saying our process is infallible, that's precisely my point — if there's an issue, does it not rest with the regulatory structure/body? And, further to your comment, how are neonics used safely in the west, if these "cannot be applied safely?" (and yes, I recognize differences between formulations and application methods).

I've not said we should retain the status quo, and I'm hardly ignorant on the issue. My point is that a lawsuit typically makes lawyers rich and drags out a process, while the real world marches on, still growing crops, still making honey. What's more effective — meaningful changes to use with an eye to pollinator safety or a courtroom drama?

Reply

john cowan

September 30, 2014 at 5:57 am

You're absolutely correct on this one Lyndsey. Grain Farmers. Have spent real money conducting

Reply



research to better understand the interaction of bees and cash crop farming. In one season they
for further research to better understand soil type, crop rotations, dust mitigation and even bee friendly
environments. Numerous beekeepers are working with them to better understand the full interactions
of bees and cash cropping. However, the overall beekeepers assoc has simply said that we don't need to
learn more or improve our own Best Management Practices.
My greatest fear is that govt and environmentalists impose a ban on neonics and then simply move on
to their next agenda item. This would not solve the beekeepers problems. As with all interactions with
nature there is far more complexity to this situation.

Charlene
September 30, 2014 at 8:02 am

I have been saying the same livestock analogy all summer. It is an interesting thought process to go
through. If bees are "livestock" what are beekeepers doing to provide high quality "forage"? There are
less and less hay fields due to less cattle. It's a difficult spot to figure out. Some hives are hired by
conventional farms to assist in pollination, but what about the others? Not saying beekeepers don't
have a plan and strategy. With more and more corn and soybeans in the countryside as "poor forage"
it can be difficult. No easy answers. I read a great article yesterday about "wicked" problems and how
they are prevalent in agriculture. I think we can find solutions with an attitude of curiosity and asking
questions and truly seeking answers (very Socrates). We live in a great time where we have the ability to
seek those answers. I look forward to the future and better things to come!

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