

April 11, 2018

# MONSANTO'S DICAMBA A HEADACHE FOR FARMERS

[Agriculture \(/full-blog/category/Agriculture\)](#)

BY: CHARLES A. ENGLISH

Dicamba, an old herbicide that is being used in new weed killing strategies by seed and pesticide companies, like Monsanto, has been causing quite the furor in the heart of the nation's farmland. The tensions have even turned deadly as one dispute between farmers led to a fatal shooting.[i] The stakes are so high because dicamba can have devastating effects on agriculture. The herbicide causes leaves on crops to become "puckered and curled, a problem known as cupping." [ii] Kevin Bradley, a professor of weed science at the University of Missouri, estimated that at least 3.1 million acres of crops had exhibited some injury from drifting dicamba.[iii] The costs are still unclear, and won't be clear until after the harvest.[iv]

The controversy centers around how the damage is caused. Farmers and weed scientists say the damage is due to the herbicide's "volatility," meaning its tendency to "evaporate from the soil or vegetation where it has been sprayed, creating a cloud of plant-killing vapor that can spread in unpredictable directions." [v] Monsanto claims the product is being sprayed improperly, and that it can be addressed through training and enforcement.[vi]

To solve the problem of volatility, Monsanto and two other pesticide companies, BASF and DuPont, created new "low-volatility" formulations of dicamba.[vii] Monsanto claims that those new formulations of dicamba don't evaporate as easily; scientists counter that Monsanto has not allowed them to verify those claims with independent tests before the products were released to the market. [viii]



Monsanto has also created genetically modified seeds that are resistant to the destructive aspects of dicamba, known under the product line as Roundup Ready 2 Xtend.[ix] Farmers face a tough choice: either buy the new genetically modified seeds or take the chance that their crops will be damaged by a neighbor's use of dicamba.[x] One Missouri farmer, Michael Kemp, said, "You're going to have to buy their product because their chemical is drifting around. The people who are growing non-G.M.O., which I did for a while, they're just left out in left field, I guess." [xi] A North Dakota farm has filed a class action against Monsanto, claiming that the company has created a coercive market by forcing farmers to buy their modified seeds in order to protect their crops from dicamba.[xii]

In the words of the popular proverb, Monsanto is trying to have its cake and eat it, too. The company has marketed the use of dicamba, a powerful pesticide that has a tendency to evaporate and drift to neighboring farms with devastating consequences to crops. Because of the destructive effects of dicamba, Monsanto has also created a dicamba-resistant line of genetically modified seeds. Farmers are now being forced to purchase those seeds to protect their crops from dicamba. It's a lose-lose situation for farmers. Courts, agencies, and lawmakers should consider the costs and benefits of dicamba on the nation's agriculture.

[i] Caitlin Dewey, *This Miracle Weed Killer Was Supposed to Save Farms. Instead, It's Devastating Them*, Wash. Po. (Aug. 29, 2017), [https://www.washingtonpost.com/business/economy/this-miracle-weed-killer-was-supposed-to-save-farms-instead-its-devastating-them/2017/08/29/33a21a56-88e3-11e7-961d-2f373b3977ee\\_story.html?utm\\_term=.79b610adcccc](https://www.washingtonpost.com/business/economy/this-miracle-weed-killer-was-supposed-to-save-farms-instead-its-devastating-them/2017/08/29/33a21a56-88e3-11e7-961d-2f373b3977ee_story.html?utm_term=.79b610adcccc).

[ii] Danny Hakim, *Monsanto's Weed Killer, Dicamba, Divides Farmers*, N.Y. Times (Sept. 21, 2017), <https://www.nytimes.com/2017/09/21/business/monsanto-dicamba-weed-killer.html>.

[iii] Dan Charles, *Monsanto Attacks Scientists After Studies Show Trouble for Weedkiller Dicamba*, NPR (Oct. 26, 2017 4:57 AM), <https://www.npr.org/sections/thesalt/2017/10/26/559733837/monsanto-and-the-weed-scientists-not-a-love-story>.

[iv] Hakim, *supra* note ii.

[v] Charles, *supra* note iii.

[vi] Hakim, *supra* note ii.

[vii] Charles, *supra* note iii.

[viii] *Id.*

[ix] Cara Salvatore, *Monsanto Seed Rollout Forced Farmers' Hands, Suit Says*, Law360 (Feb. 2, 2018 7:24 PM), <https://www.law360.com/foodbeverage/articles/1008490/monsanto-seed-rollout-forced-farmers-hands-suit-says>.

[x] Hakim, *supra* note ii.

[xi] *Id.*

[xii] Salvatore, *supra* note ix.

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631 SOUTH LIMESTONE, LEXINGTON, KY

40508 (859) 257-4747 [BLOG.KJEANRL@GMAIL.COM](mailto:BLOG.KJEANRL@GMAIL.COM) ([MAILTO:BLOG.KJEANRL@GMAIL.COM](mailto:BLOG.KJEANRL@GMAIL.COM))