

FOR IMMEDIATE RELEASE –

Bayer Faces Fifth Trial Loss, Is Liable for another \$500K for Introducing Genetically Modified Rice to U.S. Food Supply Chain

Neblett, Beard & Arsenault represents rice farmers in five states whose crops were contaminated by Bayer's LibertyLink rice

ST. LOUIS, MO – July 15, 2010 – Yesterday, another St. Louis jury found Bayer liable for crops that were contaminated by Bayer's experimental, genetically modified rice. This time, it was an award for just over a half million dollars to Deshotels Farm Management, a Louisiana family farming operation.

So far, Bayer has lost 5 jury trials and has been found liable for over \$52 million dollars in damages to farmers in several states. The company faces hundreds of additional lawsuits in federal and state courts, including a sixth case which is set to begin on July 19 in Arkansas state court, and a federal trial which is set for October in St. Louis.

“Bayer threatened the farmers’ way of life by carelessly contaminating U.S. long-grain rice fields with its genetically engineered seed,” said Richard J. Arsenault, the attorney who acted as trial co-counsel for the Deshotels at the St. Louis trial. Arsenault, serves on the Executive Committee of the multidistrict litigation against Bayer, and represents farmers in Louisiana, Texas, Mississippi, Arkansas, and Missouri whose crops were contaminated by Bayer's LibertyLink rice.

Bayer tested its genetically modified rice in the United States because it could not be tested in Europe. There were strict rules that needed to be complied with under U.S. laws, and the LibertyLink rice was not approved from human consumption.

Bayer did some of the testing of its experimental rice in Crowley, Louisiana, and it ended up contaminating the conventional U.S. rice supply. The contamination was first discovered in the U.S. food supply chain in August of 2006 and prompted

the European Union and other markets to restrict the import of U.S. rice. Within days of the EU's announcement, the decline in rice futures cost American rice farmers millions.

“Many consumers hear ‘genetically modified’ and fear for the safety and wholesomeness of their food. By negligently allowing genetically modified rice to contaminate the American rice supply, Bayer hurt our farmers economically and jeopardized their reputation,” concluded Arsenault.

06-md-1811, U.S. District Court, Eastern District of Missouri

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