

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

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Italy

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Italian farmer on trial for planting GM corn

Report Categories:

Biotechnology - GE Plants and Animals

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Report Highlights:

An Italian farmer is on trial for planting EU-approved MON810 corn in April 2010. The farmer is charged with violating a 2001 Italian decree that requires additional authorization from the Italian Ministry of Agriculture to cultivate EU-approved biotech crops in Italy. Final judgment is expected in November 2012.

General Information:

In April 2010, Mr. Giorgio Fidenato, a farmer from Friuli in northeastern Italy, publicly claimed to have planted 12 acres of MON810 corn on his farm. Following his announcement, environmentalists criminally damaged the headquarters of the farmers' association Mr. Fidenato is president of. Authorities then seized the two fields planted in MON810 corn. Later, environmental activists (reported to be from Greenpeace) destroyed one of the seized fields. Authorities harvested the second one and stored the corn, which will either be destroyed or returned to Mr. Fidenato, depending on the court's decision.

Reportedly, the attorney asked to issue a penal decree, which would force Mr. Fidenato to pay a fine, waste the GM corn crop, and take his field back. Mr. Fidenato is accused of violating Italian decree 212/2001 --which has not been notified to the EU and requires the need for further authorization and a strict set of regulations, including coexistence before cultivating any biotech crop, including EU-approved crops like MON810 (Decision 98/294/EC). The trial started in January 2011, with five different organizations acting against Mr. Fidenato's: the Region Friuli, the Pordenone province, Coldiretti (the largest Italian farmers' union), Slow Food, and Codacons (a consumers' group). The charge could bring to 6 months to 3 years in jail or a €50,000 fine. The judge eventually proposed a €25,000 fine and no jail. Mr. Fidenato's defense is that he acted within EU law and that the Italian decree contradicts the EU law. He also filed charges against the environmentalists who damaged the farmers' association headquarters and destroyed the corn field.

In early spring 2011, Mr. Fidenato announced his plan to plant MON810 again. However, this time, the Public Prosecutor's office seized Fidenato's fields, facilities, and equipment. Mr. Fidenato then filed an appeal to the Italian Supreme Court, arguing the seizure was illegal.

In January 2012, the court took (unspecified) disciplinary actions against the environmentalists who damaged Fidenato farmers' association headquarters. Additionally, the court fined Greenpeace €86,000 for destroying Fidenato's field. Recently, the Italian Supreme Court ruled that the seizure of Fidenato's farm and equipment were legal, based on his stated intent to plant MON810. Final judgment is expected in November 2012.