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To: ATR-Agricultural Workshops <agriculturalworkshops@usdoj.gov>
Subject: letter from Bill Erbstoesser

Jan. 4, 10

Legal Policy Section
Antitrust Division
U.S. Department of Justice
450 5th Street, NW, Suite 11700
Washington, DC 20001

Dear Sir or Madam,

I have been farming for 30 years in North Dakota, taking over a 2,700 acre farm operation from my step-dad and uncle. Nearly half of our crop is corn and the other half soybeans, along with a small bit of navy beans. I am also a first generation seed dealer of seed corn, soybeans and wheat for 20 years, and I feel very knowledgeable about agriculture.

With more seed choices available today, and newer technologies of seed varieties and traits, I feel that farmers have more of an advantage than they did ten years ago. There seems to be good competition between seed companies as they try to win farmers' business each year and farmers do their best to make the most of what is available. Most farmers enhance that competition by planting two to three different brands of seed on their farms, usually two of equal portions and another of a smaller quantity. The price competition between seed companies is important to farmers in my area to the point where seed companies may sometimes offer a few more bags of seed at no extra charge.

Price is always important when it comes to seed choice. We are all aware of that, but there are other factors involved in decision-making. Loyalty and trust with the dealer and seed companies is extremely important. Side-by-side trials are also very important as well, because it gives farmers the opportunity to see up to eight brands of corn (and usually two of soybeans) planted next to each other, and how well the crops perform. This is obviously efficient because the proof is there to see. With field mapping and yield monitors, the different technologies play an important role in farmers' decisions. But dealer trust and personal experience is also very influential.

With the advancements in biotech seed technology, farming operations have changed tremendously. There is far less fuel use because of less spraying, less labor costs because of timeliness, less erosion and water problems because of root strength, and because of Roundup and other weed, insect and disease traits, farming is easier. Even once-mediocre farmers are now decent farmers because of cleaner fields.

Private research and seed innovation is way ahead of public research these days, mainly because of funding. As a result, prices will be higher. Of course it would be better if private research was shared

more, but as long as they put their money back into the research, everybody is happy and productive, and farmers can continue to compete at a local and national level. Farming has already come along quite a ways, and yields seem to continue to increase.

I want to thank you for taking the time to read my comments and opinion before the public workshops are held. Your consideration is much appreciated.

Yours truly,

Bill Erbstoesser
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