

United States Court of Appeals for the Federal Circuit

June 14, 2013

ERRATA

Appeal No. 2012-1298

**ORGANIC SEED GROWERS AND TRADE
ASSOCIATION, ORGANIC CROP IMPROVEMENT
ASSOCIATION INTERNATIONAL, INC., THE
CORNUCOPIA INSTITUTE, DEMETER
ASSOCIATION, INC., CENTER FOR FOOD SAFETY,
BEYOND PESTICIDES, NAVDANYA
INTERNATIONAL, MAINE ORGANIC FARMERS
AND GARDENERS ASSOCIATION, NORTHEAST
ORGANIC FARMING ASSOCIATION OF NEW
YORK, NORTHEAST ORGANIC FARMING
ASSOCIATION/MASSACHUSETTS CHAPTER, INC.,
NORTHEAST ORGANIC FARMING ASSOCIATION
OF NEW HAMPSHIRE, NORTHEAST ORGANIC
FARMING ASSOCIATION OF RHODE ISLAND, CT
NOFA, NORTHEAST ORGANIC FARMING
ASSOCIATION OF VERMONT, RURAL VERMONT,
OHIO ECOLOGICAL FOOD & FARM ASSOCIATION,
FLORIDA CERTIFIED ORGANIC GROWERS AND
CONSUMERS INC., SOUTHEAST IOWA ORGANIC
ASSOCIATION, MENDOCINO ORGANIC
NETWORK, NORTHEAST ORGANIC DAIRY
PRODUCERS ALLIANCE, MIDWEST ORGANIC
DAIRY PRODUCERS ALLIANCE, WESTERN
ORGANIC DAIRY PRODUCERS ALLIANCE,
CANADIAN ORGANIC GROWERS, PEACE RIVER**

**ORGANIC PRODUCERS ASSOCIATION, FAMILY
FARMER SEED COOPERATIVE, SUSTAINABLE
LIVING SYSTEMS, GLOBAL ORGANIC ALLIANCE,
FOOD DEMOCRACY NOW!, FARM-TO-CONSUMER
LEGAL DEFENSE FUND, WESTON A. PRICE
FOUNDATION, MICHAEL FIELDS
AGRICULTURAL INSTITUTE, FEDCO SEEDS INC.,
ADAPTIVE SEEDS, LLC, SOW TRUE SEED,
SOUTHERN EXPOSURE SEED EXCHANGE,
MUMM'S SPROUTING SEEDS, BAKER CREEK
HEIRLOOM SEED CO., LLC, COMSTOCK, FERRE &
CO., LLC, SEEDKEEPERS, LLC, SISKIYOU SEEDS,
COUNTRYSIDE ORGANICS, WILD GARDEN SEED,
CUATRO PUERTAS, SEED WE NEED, ALBA
RANCH, WILD PLUM FARM, GRATITUDE
GARDENS, RICHARD EVERETT FARM, LLC,
PHILADELPHIA COMMUNITY FARM, INC,
GENESIS FARM, CHISPAS FARMS LLC,
MIDHEAVEN FARMS, KOSKAN FARMS,
CALIFORNIA CLOVERLEAF FARMS, NORTH
OUTBACK FARM, TAYLOR FARMS, INC., RON
GARGASZ ORGANIC FARMS, ABUNDANT ACRES,
T & D WILLEY FARMS, FULL MOON FARM, INC.,
COMMON GOOD FARM, LLC, AMERICAN
BUFFALO COMPANY, RADIANCE DAIRY,
QUINELLA RANCH, NATURE'S WAY FARM LTD.,
LEVKE AND PETER EGGERS FARM, FREY
VINEYARDS, LTD., CHUCK NOBLE, LARHEA
PEPPER, PAUL ROMERO, BRIAN WICKERT,
BRUCE DRINKMAN, MURRAY BAST, AND DONALD
WRIGHT PATTERSON, JR.,
*Plaintiffs-Appellants,***

AND

**OCIA RESEARCH AND EDUCATION INC.,
NORTHERN PLAINS SUSTAINABLE
AGRICULTURE SOCIETY, MANITOBA ORGANIC**

**ALLIANCE, UNION PAYSANNE, FAMILY FARM
DEFENDERS INC., INTERLAKE FORAGE SEEDS
LTD., KIRSCHENMANN FAMILY FARMS INC., AND
JARDIN DEL ALMA,**
Plaintiffs,

v.

**MONSANTO COMPANY AND MONSANTO
TECHNOLOGY LLC,**
Defendants-Appellees,

Decided: June 10, 2013
Precedential Opinion

The following changes have been made in the opinion released June 10, 2013:

Correct the case caption to remove Bryce Stephens from the list of appellants.

At page 6, line 32, delete “At least one appellant declared that the fear of suit by Monsanto is the sole reason he refrained from cultivating organic corn and soybeans, and that he would resume growing those crops if that threat were eliminated. Decl. of Bryce Stephens, *Organic Seed Growers*, 851 F. Supp. 2d 544 (S.D.N.Y. 2012) (No. 11-CV-2163), ECF No. 41.”