

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CENTER FOR FOOD SAFETY, et al.,

Plaintiffs,

No. C 10-04038 JSW

v.

THOMAS J. VILSACK, et al.,

**PRELIMINARY INJUNCTION**

Defendants.

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Pursuant to the Order entered on November 30, 2010, the Court HEREBY ISSUES the following preliminary injunction:

By 4:00 p.m. on Tuesday, December 7, 2010, Animal and Plant Health Inspection Service (“APHIS”) shall issue an Emergency Action Notification (“EAN”) to each of the four permit holders (Syngenta Seeds, Inc., Betaseed, Inc., American Crystal Sugar Company, and SESVanderHave USA, Inc.) of the permits at issue in this case. These EANs shall direct the permit holders to plow under the stecklings planted pursuant to the permits by no later than 4:00 p.m. on December 14, 2010. APHIS has discretion to specify the method of plowing under the stecklings, provided that such methods effectively destroy the stecklings and do not preserve them for later use. APHIS shall inspect each site where the stecklings were planted to ensure compliance with the EANs by no later than December 17, 2010 and shall file a certification with

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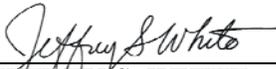
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the Court by no later than December 22, 2010 that all of the stecklings planted pursuant to the permits at issue have been plowed under and disposed of safely.

**IT IS SO ORDERED.**

Dated: December 3, 2010

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE