

Genetically Modified Organisms -Report 2011 – DuPont Company

WHEREAS: Disclosure of material information is a fundamental principle of our capital markets. Investors, their confidence in corporate bookkeeping shaken, are starting to scrutinize other possible “off-balance sheet” liabilities, such as risks associated with activities harmful to human health and the environment, that can impact long-term shareholder value.

SEC reporting requirements include disclosure of environmental liabilities and of trends and uncertainties that the company reasonably expects will have a material impact on revenues. Company directors and officers must proactively identify and assess trends or uncertainties that may adversely impact their revenues and disclose the information to shareholders. Public companies are now required to establish a system of controls and procedures designed to ensure that financial information required to be disclosed in SEC filings is recorded and reported in a timely manner.

WHEREAS: Producers of GE-seeds are merely encouraged to have voluntary safety consultations with the FDA. The FDA does not issue assurances as to the safety of these products.

The National Academy of Sciences report *The Impact of Genetically Engineered Crops on Farm Sustainability in the United States* (NAS 4/2010) cited the needs:

- to document emerging weed-resistance problems and develop cost-effect practices to increase longevity of HR technology;
- to study water quality effects of GE crops;
- for improved monitoring and assessment to ensure GE technologies contribute to sustainable agriculture;
- support for the development of ‘public goods’ traits.

These are re-iterations of previous NAS recommendations, each directly relevant to DuPont’s Pioneer seed products.

An analysis of current toxicity protocols, *Debate on GMOs Health Risks after Statistical Findings in Regulatory Tests*. *Int J Biol Sci* 2010; 6:590-598. <http://www.biolsci.org/v06p0590.htm> calls for longer, more detailed, and transparent toxicological tests on GMOs.

Investigating *Agrobacterium*-Mediated Transformation of *Verticillium albo-atrum* on Plant Surfaces “...raises interesting questions about whether *A. tumefaciens* may be able to transform organisms other than plants in nature, or indeed should be considered during GM risk assessments, with further investigations required to determine whether this phenomenon has already occurred in nature.”

<http://www.plosone.org/article/info%3Adoi%2F10.1371%2Fjournal.pone.0013684>

DuPont is a major holder of plant patents. The recent court ruling against patenting human genes as invalid may portend public rejection of ownership of unmodified DNA.

RESOLVED: That shareholders request the board of directors to review and report to shareholders by November 2011, on the company’s internal controls related to potential adverse impacts associated with genetically engineered organisms, including:

- adequacy of current post-marketing monitoring systems;
- adequacy of plans for providing alternatives to GE seed should circumstances so require;
- possible impact on all DuPont seed product integrity;
- effectiveness of established risk management processes for different environments and agricultural systems.