

Acquisitions

Bayer acquisition of Aventis CropScience finalised

...Bayer has now received European Commission and Federal Trade Commission approval for its EUR 7.25 bn acquisition of Aventis CropScience subject to relinquishing certain herbicides activities that would infringe European and US fair trading regulations. The new crop protection group which integrates Aventis CropScience will trade under the name of Bayer CropScience and will rank second in the \$30 bn crop protection chemicals sector which is headed by Syngenta.

...on 25 June Dr Jochen Wulff, Chairman of the Board of Bayer CropScience, unveiled a pillar bearing the logo of the new merged company at the Agricultural Center at Monheim to visibly display its new identity as the global corporate headquarters of Bayer CropScience.

...Bayer has invested 110 million Euros in a new manufacturing facility for crop protection at its Dormagen site. This new multi-purpose facility, which came onstream on June 26 will be used to manufacture newly developed crop protection products and will serve as an international crop science process development centre.

Certis acquires Ecogen's Bt biopesticide

Certis USA is to acquire certain assets of the Bt biopesticide and insecticidal nematode business of Ecogen. Certis is to start immediate production and sale of CryMax and Lepinox biological pesticides at its Bt production facility at Wasco, CA. Volumes are expected to be available to high-value crop growers in July.

Sumitomo Chemical to acquire 50% of Italian agrichem firm

Sumitomo Chemical Co is to take a 50% stake in Isagro Italia for a price thought to exceed Yen 7 bn. The Italian firm has a 15% share of the Italian agrochemicals market, and is likely to achieve sales equivalent to Yen 12.7 bn in fiscal 2001. Sumitomo Chemical is looking to expand the sales network for its agrochemicals in Europe, and plans to sell its own brand in Italy, including the Sumilex fruit tree

pesticide. The firm is targeting an increase in Isagro's sales to Yen 20 bn/y. (For more information see www.nni.nikkei.co.jp/).

Agreements

DuPont Crop Protection–Monsanto

DuPont Crop Protection and Monsanto have forged a deal that involves granting each other cross-licenses to crop-enhancing technologies. The deal, which covers all Monsanto affiliates and Dupont subsidiary Pioneer Hi-Bred International Inc, allows growers around the world to have more access to new technologies in their seed brands. The firms have dropped all technology-related lawsuits filed against each other.

Nissan–Monsanto

Nissan and Monsanto announced the signing of a definitive agreement for the sale of certain Monsanto herbicide assets to Nissan for use in the Japanese market. The proposed transaction includes the transfer of Monsanto's trademarks for Roundup, Lasso and Machete herbicide brands to Nissan in Japan. The agreement also includes the transfer of related product registrations, labels and certain other assets for use in Japan, as well as a long-term supply arrangement whereby Monsanto will be the supplier to Nissan of these herbicides.

Litigation

United Phosphorus lawsuit against BASF and Micro Flo

The multi-million dollar case originally filed by United Phosphorus against Micro Flo and BASF (Micro Flo's parent company) on 3 June 2002 has passed a significant milestone. The case alleges that Micro Flo and BASF imported and sold millions of pounds of illegal, unapproved pesticides in the US. The US District Court for the Middle District of Georgia on 28 May 2002, denied Micro Flo's Motion to dismiss United Phosphorus' civil case. As a result, the case can finally begin moving toward trial. The case originated when United Phosphorus discovered that Micro Flo had registered with the US Environmental Protection Agency (EPA), under

Micro Flo's own name, various pesticides produced by United Phosphorus in India. Because of these violations of federal law, in September 2001 EPA brought the largest enforcement case ever brought by the federal government for pesticide-related violations against Micro Flo.

Glyphosate battle grows

Syngenta Crop Protection has filed a lawsuit against Monsanto. The civil lawsuit focuses on Monsanto's alleged false and misleading claims on the safety and efficacy of Syngenta's Touchdown product with IQ Technology on Roundup Ready crops.

BASF to appeal penalty

BASF aims to appeal a ruling of a Minnesota court that ordered the firm to pay \$52 M to growers, having found it guilty of deception and fraud in marketing Poast and Poast Plus herbicides (sethoxydim). The case was filed by 11 Midwest farmers in late 1997.

Australian competition watchdog warns Monsanto

The Australian Competition and Consumer Commission, (ACCC), has accepted legally enforceable promises from Monsanto (Australia) and NuFarm Australia that the companies will not again behave in an anti-competitive manner. The Commission has determined that the appointment of NuFarm as sole distributor for Monsanto glyphosate products was intended to prevent the import of cheaper Chinese products. The companies have also agreed to train their distribution staff to ensure compliance with the orders of the ACCC.

Snippets

...BASF's agro centre at Limburgerhof, Germany, is to have a new laboratory that will employ around 150 and be ready in 3Q 2003. The lab will undertake screening, analysis and formulation.

...Bayer CropScience has formed a strategic partnership with United Industries that paves the way for Bayer to strengthen its position in the consumer lawn and garden market significantly.