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PRESS RELEASE

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**DISTRICT COURT GRANTS PERMANENT INJUNCTION TO PROTECT ORGANIC FARM
FROM MOSQUITO SPRAYING**

Hotchkiss, Colorado: Protecting the rights of organic farmers and pesticide sensitive persons, the District Court in Delta, Colorado today granted a permanent injunction to prohibit a farmer from fogging for West Nile virus within 150 feet of his neighbor's property and ever allowing his pesticides to drift there.

Judge Greenacre determined that a previous application of the pesticide, Fyfanon, a form of malathion, had drifted, and thus trespassed, onto the neighboring Bilchak farm. In granting the permanent injunction today, Judge Greenacre decided that:

"Plaintiffs have an interest, shared by the public in general, in not having their property invaded by third persons or things.

Plaintiffs also have a specific interest in not having pesticides

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invade their property because such invasions will delay or negate their efforts to have their property certified for the production of organic crops."

Delta County, Colorado is a major center for organic growing. During the hearings in this case, Plaintiffs presented testimony from Elizabeth Collins, who manages mosquitoes for the local mosquito abatement district, businessman Ed Tuft, president of Mountain Rim/Leroux Creek Farms, the largest organic farmer/processor in Colorado, Mr. MacAlpine's oncologist, Douglas Rovira, M.D., and pesticide drift expert Susan Kegley from San Francisco.

Rosemary Bilchak and her husband, Gordon MacAlpine, whose fight against leukemia led them to develop their organic farm, hailed the ruling. "We feel vindicated in our attempts to protect our property and our lifestyle. It has been a long legal battle to be allowed to do a simple thing: Grow our own organic food."

Randall Weiner, an environmental lawyer, successfully obtained a temporary restraining order, summary judgment and a permanent injunction. He noted that this is the first decision in Colorado treating pesticide sprays as a trespass, let alone one which can be halted by injunction.

A copy of the Permanent Injunction is attached.