

# Agriculture

Farmers were critical to passing America's first antitrust laws—in 1888, Iowa became the first state to pass an antitrust act. But today, farmers are again facing competition problems. As recent cases have revealed, many farmers face competitive threats both from their upstream suppliers and their downstream purchasers. This is because both the upstream and downstream markets have become concentrated, largely due to mergers. As a result, end consumers can face higher prices while farmers are paid less for farm output and pay more for farm inputs. Recent antitrust actions have uncovered collusion, information sharing, and other anticompetitive practices in agricultural markets.

## Reading

### Required reading

[Complaint, \*United States v. Bayer AG & Monsanto\*](#), 18-cv-124 (D.D.C. 2018)

Christopher Leonard, *Keynote Address, Big Ag and Antitrust Conference*, Yale Thurman Arnold Project & Law, Ethics, and Animals Program at Yale (2021)

[Plea Agreement, \*United States v. Pilgrim's Pride Corp.\*](#), 20-cr-330 (D. Col. 2021) (pages 1–5)

[Dave Dickey, Courts need to end Big Meat data sharing, Investigate Midwest, June 9, 2021](#)

[Complaint, \*United States v. Dow Chemical Co.\*](#), (D.D.C. 2017)

### Recommended reading

[Jesse Hirsch, As Farmers Fight for the Right to Repair Their Tractors, an Antitrust Movement Gains Steam, \(Apr. 8, 2019\)](#) (Note also the Biden Administration Executive Order on Competition, which directs the FTC to consider rulemaking to support a right to repair, available [here](#))

### Background reading

[Christopher Leonard, Bloomberg, Is the Chicken Industry Rigged?](#) (2017)

Leonard, Christopher. (2014). *The Meat Racket*. Riverside: Simon & Schuster.

“Farm Bureau,” 60 Minutes (April 9, 2000)

Part 1: <https://www.youtube.com/watch?v=c4iiV8e0Y6A>

Part 2: [https://www.youtube.com/watch?v=ehDfBl\\_VKEQ](https://www.youtube.com/watch?v=ehDfBl_VKEQ)

[Anthony Pahnke, Antitrust Legislation Is Essential to Racial and Economic Justice in Agriculture, Truthout \(Feb. 14, 2021\)](#)

[Farm, Consumer and Competition Groups Oppose JBS-Cargill Pork Merger Deal Would Concentrate Buyer and Seller Power in Pork Industry \(July 30, 2015\)](#)

Max Miller, CPI Podcast, America Needs Farmers and Farmers Need Better Antitrust Law, Competition Policy International