

**Talking Points**  
**California Seed Preemption Bill, SB1056**

**SB1056 Overrides Local Control of Agriculture and Food Systems**

- ☀ SB1056 is a so-called *state preemption bill*, intended to amend the California Seed Law so that all decisions pertaining to the regulation of seeds and nursery plants are made at the state level “to the exclusion of local governments.”
- ☀ State preemption is synonymous with stealing local control. It is the judicial principle that declares the supremacy of one level of government over another.
- ☀ SB1056 takes away the democratic right of people to locally resolve matters related to community food systems and agriculture.
- ☀ If passed, cities and counties would be prohibited from enacting stronger protections, even if the local laws were more regionally appropriate. In essence, the authors of SB1056 seek to impose a political gag order on California voters and local governments.
- ☀ As the brainchild of the Agribusiness Industry, SB1056 represents the industry’s latest effort to centralize its economic power. The adoption of SB1056 would take away local decision-making power for regulating most aspects of agriculture from communities.
- ☀ SB1056 is part of a larger national trend, to undo local laws that regulate more strictly than state laws a range of businesses activities, including agriculture. To date, nineteen “seed preemption” bills have been introduced in various states, fourteen have passed into law.
- ☀ Similar preemptive legislative strategies have been successfully employed by the tobacco, timber, and pesticide industries to weaken health, safety, and environmental regulations.

**SB1056 Eliminates Local Control of Genetically Engineered (GE) Foods**

- ☀ SB1056 represents a thinly veiled, industry-led response to impede efforts by local governments to protect its residents from threats posed by the growing of Genetically Engineered (GE) foods and crops.
- ☀ SB1056 remains silent on the GE issue. It fails to address the range of public health, food safety, environmental, and economic concerns associated with GE.

- ☀ SB1056 prohibits local governments from adopting regulations requiring GE seeds and food grown within its jurisdiction to be labeled as such or to require the growers of GE crops to notify its neighbors.
- ☀ The bill usurps the rights of communities to decide whether or not they want to allow GE crops to be grown in their community.
- ☀ If passed, SB1056 would supersede existing local regulations that prohibit GE agriculture, making them null and void. As the GE bans in Mendocino, Trinity, and Marin Counties demonstrate, a growing number of people in California feel dissatisfied with the minimal environmental and health protections afforded them by current GE laws.
- ☀ Local government action is a necessary antidote to federal and state government inaction on the GE issue.
- ☀ It is irresponsible for members of the California State Legislature to introduce an amendment to the California Seed Law without redressing widespread public concerns about the lack of adequate state or federal regulations to test and monitor the long-term health and environmental impacts of GE crops.

### **SB1056 Undermines Democratic Decision-making at the Local Level**

- ☀ State preemption laws, such as SB1056, represent an undemocratic departure from the original intent of state law-making by stripping local governments of their authority to act in the best interest of their community. Traditionally, federal and state laws have set *minimum* standards by which local governments must abide.
- ☀ People in California have always had the right to democratically decide the types and scale of businesses they want to operate in their communities and to decide the conditions under which such businesses can operate.
- ☀ The “one size fits all” approach to agricultural policy-making embodied on SB1056 is predicated on the assumption that an agricultural policy that is suitable for Kern County will work in Mendocino, LA, and all other counties across the state. This approach will simply not work given the vastly different geographical, economic, environmental, and cultural considerations that policy makers must consider when governing in the diverse regions that characterize the state of California.

Take Action & Oppose SB1056: [environmentalcommons.org/food-democracy-CA.html](http://environmentalcommons.org/food-democracy-CA.html)

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