

Update on “Seed Preemption” Bills Being Introduced to Strip Local Control of Our Food Supply March 2006

Background

In the spring of 2004, an ordinance (prohibiting the growing of genetically modified organisms) was passed in Mendocino County, CA by a large majority of the voters. The passage of this ordinance—as well as two others passed in nearby California counties and a growing number of town resolutions in New England—set off a counterattack by conservative and agribusiness industry backed lawmakers across the country.

Worried that local regulation of genetically modified crops would hamper the consolidation and expansion of intensive agriculture; state lawmakers began introducing bills providing their respective states with sole authority of seeds and plants. In essence, lawmakers are introducing bills stripping local control of our food supply and food systems.

The origin of the “seed preemption” legislation sprang from a conservative public policy organization, the American Legislative Exchange Council, which boasts hundreds of corporate sponsors, and is being carried to legislators by Agribusiness Councils and state Farm Bureaus.

Since November 2004, nineteen (19) “seed preemption” bills have been introduced. In fourteen states, the bills were passed into law quickly and with very little public input : Arizona, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Texas, and West Virginia.

The Good News

The furious pace with which these bills were introduced and passed has slowed due in large part to organized pressure from state-based organizations opposing them. By working together, groups fighting the bills have caused five of the nineteen “seed preemption” bills to be stalled in state legislatures. The five states are: California, Michigan, Missouri, North Carolina, and Nebraska.

Update on Five States w/ Active Preemption Bills

1. California: AB1508 & SB1056 are alive and may move this spring, 2006. Organizations such as CA GE Free, Environmental Commons, and others are readying for a showdown. In August 2005, organizations and activists mounted a groundswell of opposition from throughout the state. The opposition stopped the bill’s movement as the 2005 session came to a close. In the words of a Senator opposed to both of the bills, “Regardless of how you feel about the GMO issue, taking away local voters' rights is a very serious threat to democracy.”

2. Michigan: The Michigan Environmental Council, Michigan Sierra Club, native plant groups, Center for Food Safety, and Organic Consumers Association have been active in fighting SB777. The bill has been voted out of committee and opposition is now mounting on the floor. Doug Gurian-Sherman did a wonderful job testifying against the bill and set in motion much debate regarding the impacts of genetically modified organisms. In the words of an activist from

Michigan, “this bill has mounted a huge discussion about genetic engineering the likes of which have not been heard before in Michigan.”

3. Missouri: The Sierra Club, Missourians for Local Control, Missouri Rural Crisis Center, Gateway Green Alliance and Missouri rice farmers are doing a great job fighting SB1009. While the bill did get voted out of the agribusiness industry influenced agriculture committee in mid-March, a third of the Senate committee members in Monsanto’s home state voted against the bill. Michael Hansen testified at the hearing. Those opposed feel optimistic the bill may be killed on the floor. All of the organizations fighting the bill are capitalizing on recent local control campaigns to maintain authority over industrial-scale animal feeding operations.

SB1009 is a bit different than other state seed preemption bills we have seen in that it asserts that no state regulation shall be more restrictive than federal regulations pertaining to research, development, and use of seed technologies.

4. Nebraska: The Nebraska Farmers Union, the Sierra Club, and Open Harvest Co-op have been actively fighting LB834 prohibiting political subdivisions from regulating any matters relating to the registration, labeling, sale, storage, transportation, distribution, notification of use, use, planting, or cultivation of seeds.

5. North Carolina: A coalition of organization including Southern Sustainable Forests, ETC Group, RAFI USA, and the Carolina Farm Stewardship Association is actively fighting H671. H671 currently reads a bit differently than other state seed preemption bills. H671 has been amended to provide the Board of Agriculture with sole authority to regulate genetically engineered and genetically modified plants. Stalled since August 2005, there is a good chance that this bill will also be killed.

More Information:

For frequently updated information on the Seed Preemption Legislation and to find out if your state legislature has introduced a bill stripping local control of your food supply, see:

<http://www.environmentalcommons.org/gmo-tracker.html>

For Background Information, see:

Food Democracy: <http://www.environmentalcommons.org/food-democracy.html>

Genetic Engineering Resources: http://www.centerforfoodsafety.org/other_reso21.cfm