

SB 712

NEIL ABERCROMBIE
Governor



State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512

RUSSELL S. KOKUBUN
Chairperson, Board of Agriculture

JAMES J. NAKATANI
Deputy to the Chairperson

TESTIMONY OF RUSSELL S. KOKUBUN
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEES ON ENERGY AND ENVIRONMENT
AND
AGRICULTURE
TUESDAY, FEBRUARY 1, 2011
2:55 PM
CONFERENCE ROOM 225

SENATE BILL NO. 712
RELATING TO GENETICALLY ENGINEERED PLANTS.

Chairpersons Gabbard and Nishihara and Members of the Committees:

Thank you for this opportunity to provide testimony on Senate Bill No. 712. The purpose of this Act is to require the Department to notify the public of the location of field tests and the intended open field production of genetically engineered plants. The Department opposes this measure.

First, the language of this bill creates a discriminatory status against farmers who utilize biotechnology. The perception here is that there is something inherently wrong with this technology, which is contrary to what is widely accepted by the scientific community.

Second, precise field location and genetic traits of field tests are types of information that could not be disclosed to the general public under federal law. Similarly, the 9th Circuit Court had affirmed the Hawaii district court's ruling that field location is protected from disclosure to prevent the risk of vandalism and the possibility that trade secret information could be stolen.

Thank you for the opportunity to testify on this measure.





UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
Senate Committee on Energy & Environment and Committee on Agriculture
Tuesday, February 1, 2011 at 2:55pm
by
James R. Gaines
Vice President for Research, University of Hawai'i

SB712 - RELATING TO GENETICALLY ENGINEERED PLANTS

Chairs Gabbard and Nishihara, Vice Chairs English and Kahele, and Members of the Senate Committee on Energy & Environment and Committee on Agriculture

The University of Hawai'i stands in opposition to SB 712.

The University's primary concerns are the threat to field research, vandalism and destruction of research crops as has happened during the development of the transgenic papaya. The requirement of disclosure of locations of field tests and production research crops would make these plants vulnerable to those that philosophically oppose this type of research.

This bill also mandates a burdensome reporting and notification process and allows unspecified rule-making with no apparent benefit. The reporting requirement is duplicative and unnecessary as it is already being conducted by the federal government under the Federal Plant Protection Act.

Most importantly however is the fact that genetically engineered crops do not pose a human health or safety risk. There has never been a documented case of any harm attributed to biotech crops anywhere in the world in the decades since genetically engineered crops have been introduced into the food supply. There have been no studies that indicate any greater hazards associated with the consumption of genetically engineered foods compared to conventionally or organically grown varieties. In fact, over the years as more research has been conducted, many jurisdictions have approved more crop varieties for human use and consumption and global acceptance of these plant varieties continues to grow.

The University notes that procedures to prevent cross pollination are well known and part of standard agriculture practice. Legislation in this regard is unnecessary.

Thank you for the opportunity to testify on this bill.



Hawaii Agriculture Research Center

Administration: P.O. Box 100, Kunia, HI 96759

Ph: 808-621-1350/Fax: 808-621-1359

TESTIMONY BEFORE THE SENATE COMMITTEES ON ENERGY AND ENVIRONMENT AND AGRICULTURE

SB 712

RELATING TO GENETICALLY ENGINEERED PLANTS

February 1, 2011

Chairmen Gabbard and Nishihara and Members of your Committees:

My name is Stephanie Whalen. I am Executive Director of the Hawaii Agriculture Research Center (HARC). I am testifying today on behalf of the center and our research and support staff

HARC strongly opposes SB 712 Relating to Genetically Engineered Plants.

This proposed measure requires the Department of Agriculture to notify the public of the location of field tests and the production of genetically engineered plants. There are two issues here.

The first is that this measure jeopardizes the health and safety of agricultural workers. The activists involved in opposing this technology have repeatedly demonstrated their unlawful behavior by trespassing and destroying other's property.

If you pass this measure you are condoning those activities and knowingly placing people engaged in legitimate permitted agricultural activities at a high risk of harm.

The second with respect to legitimate farm production differences in processes, co-existence has been proven to work through neighborly communication. There are many factors that affect bordering farms and practices which work in reducing or eliminating those potential problems. **THIS SHOULD NOT BE THE BUSINESS OF LEGISLATION.** There are problems that have been encountered by farmers throughout time and have been solved by themselves. That practice needs to continue and not become another government interference.

The real problem here is that there are some who refuse to practice co-existence and look for the government to enforce their preferred philosophy and process on others. There is no compromise or co-existence for these folks; there is only their way.

Thank you for the opportunity to comment in **strong opposition to SB 712.**

TESTIMONY OF GERALD A. SUMIDA, ESQ.
COMMITTEE ON ENERGY AND ENVIRONMENT
AND THE
COMMITTEE ON AGRICULTURE
THE STATE SENATE
ON
S.B. NO. 722 RELATING TO THE ENVIRONMENTAL,
RESPONSE, ENERGY, AND FOOD SECURITY TAX
FEBRUARY 1, 2011

Mr. Chairmen and Members of the Committees:

I am Gerald A. Sumida, a partner in the Hawaii law firm of Carlsmith Ball LLP, and also the Chair of the Steering Committee of the Hawaii Clean Energy Initiative ("HCEI"). During the course of my work over the past several years, I have had the opportunity to be deeply engaged in assisting in the successful development of renewable and clean energy projects in our State of Hawaii. I am very pleased to present testimony in favor of S.B. No. 722, which seeks to amend H.R.S. Section 243-3.5 to increase the allocation of portions of the tax involved to the energy security special fund and the agricultural development and food security fund.

Hawaii as a State and as a people is embarked on a remarkable experiment in a strong and formal partnership with the U.S. Department of Energy in pursuance the Hawaii Clean Energy Initiative goal of meeting by 2030 at least 70% of our State's energy needs from clean energy sources. This highly ambitious -- but doable -- goal directly stems, as we all very well know, from our almost total dependence on imported fossil fuels to meet our energy and transportation needs. We are also acutely aware of the very real dangers that this dependency has posed for Hawaii: The highly volatile price for fossil fuels, which only recently hit \$147 per barrel of oil; the grave vulnerabilities to any disruption in our oil supply sources; the outflow of billions of dollars from our State's economy to pay for the oil that we import, and the negative multiplier effect that this imposes on our presently fragile economy; and, as we have more recently become aware, the extent of pollution and greenhouse gas emissions that the production, transport and combustion of imported fossil fuels creates, with both medium-term and long-term consequences for our State and planet.

But we are equally aware of the tremendous natural and indigenous renewable energy resources that we have in Hawaii. To date, this has generally focused on the generation of electric energy by geothermal, wind and solar resource developments to supplant the use of fossil fuel. These continue to be developed, along with additional resources such as biomass and ocean thermal energy conversion (OTEC) as well as wave and other hydrokinetic energy resources. Moving all of these efforts -- both commercial developments as well as continuing research, development and demonstration projects -- has been a widespread public support and a committed political will to reduce our dependency on imported fossil fuels and increase our use of our own indigenous renewable resources. The awareness that gave rise to these critical efforts, and the work in these directions, began many years ago in the aftermath of the OPEC oil crisis "shock" in 1973-1974, when discussions of "peak oil" also began in earnest. Today, and after several subsequent "oil shocks", Hawaii has a unique public-private partnership that has sought to move forward on all of these initiatives toward the ultimate goal of energy independence.

The unique State of Hawaii-U.S. Department of Energy partnership is an integral part of the Hawaii Clean Energy Initiative. The HCEI itself is a public-private partnership that spans the federal,

State and county governments, the private sector, the academic institutions, the military, non-governmental and civil society groups that together are identifying and assessing concrete approaches to achieving the HCEI's goal of using clean energy resources to meet 70% of Hawaii's energy needs by 2030. This effort is occurring within the context of legislative frameworks such as the Renewable Portfolio Standards ("RPS"); administrative agency initiatives such as the frameworks and mandates formulated by the Public Utilities Commission; executive department programs to educate, support and facilitate the use of energy efficiency measures and the commercial development of renewable energy resources; non-governmental and civil society initiatives to promote awareness and use of energy savings devices as well as help to identify policy issues and choices involved in moving toward the 70% clean energy goal; academic institutions engaging in exploring technological clean energy innovations as well as scientific and policy research on developing our renewable resources; private sector initiative projects to commercialize renewable energy resources, including wind, solar and geothermal resources, and to demonstrate the feasibility of still other renewable energy resources; and the U.S. military in Hawaii moving significantly in increasing energy efficiencies and incorporating clean energy even for war fighting military equipment.

It is clear that the State -- including the Legislature, the State executive departments and the County council and executive departments -- have played, and continue to play an essential and visionary role in these efforts. While it is the private sector that actually develops renewable energy resources, including providing electric vehicles, on a commercial basis. Moreover, these private sector initiatives can only be effective within a comprehensive legal and policy framework that supports these developments. The programs especially of the Department of Business, Economic Development and Tourism ("DBEDT") in this broad spectrum of energy initiatives have been pivotal and fundamental to the progress that the State has made in this initiatives. From the early 1970s, DBEDT has been a leading agency, supported strongly by the Legislature and successive State administrations, in maintaining and expanding these programs to enhance Hawaii's ultimate energy independence.

Within recent years, Hawaii's needs in these areas have become even more acutely known and felt, and DBEDT has continued to provide valuable leadership in this effort, including developing an increasingly wide and inclusive Statewide public and private constituency that is committed to what we now refer to, in short hand, as Hawaii's 70% Clean Energy Goal.

However, we all know that sustaining these programs and initiatives takes its own set of resources. Up to now, Hawaii has benefited significantly from federally-sourced funds to support a substantial part of DBEDT's State Energy Office personnel and programs. This has been supplemented by State funding, including funding sources provided by Act 73, Sess. Laws of Hawaii, enacted in 2010. However, as those federal funding sources close out shortly, it is essential that a means be found to continue, if not expand, the many key programs and initiatives of DBEDT and especially its State Energy Office. S.B. No. 722 seeks to provide those resources by increasing the amounts to be contributed to each of the Energy Security Special Fund under H.R.S. § 201-12.8, and the Agricultural Development and Food Security Special Fund under H.R.S. § 141-10. This latter recognizes the close interrelationship between energy security and food security in our State, and both DBEDT's programs as well as the HCEI's scope encompass the complementary relationships between energy security and food security.

For the foregoing reasons, I strongly feel that S.B. No. 722 provides a very appropriate means to make position the continuation of these vital programs that DBEDT and the State Energy Office are providing, with its close cooperation with all of the strategic allies that I mentioned above in this

truly Statewide effort. A tremendous and deepening Statewide momentum toward achieving Hawaii's 70% Clean Energy Goal has been created and continues to strengthen. The continuing construction and development of several major wind farms on Oahu and Maui; the development of major solar projects on Oahu, the Big Island and Kauai; the expansion of geothermal production on the Big Island; the development of biomass and biofuel projects on each of the islands, all evidence what has been started and must continue. It is therefore critical for Hawaii's future that this support for DBEDT's initiatives continue uninterrupted. Hawaii has attained an international recognition of the work that it, as a society, is undertaking toward its ambitious but essential goal of 70% Clean Energy by 2030. S.B. No. 722 will not only help to sustain that diverse array of programs and initiatives but will strongly reaffirm our commitment to energy independence.

I therefore respectfully request your favorable action on S.B. No. 722 and look forward to Hawaii's successful attainment of energy independence in the not too distant future.

Thank you very much for the opportunity to present this testimony to your Committees.

Gerald A. Sumida, Esq.
Carlsmith Ball LLP
ASB Tower, Suite 2200
1001 Bishop Street
Honolulu, Hawaii 96813
Tel: (808) 523-2528
Fax: (808) 523-0842
Email: gsumida@carlsmith.com

Testimony for ENE/AGL 2/1/2011 2:55:00 PM SB712

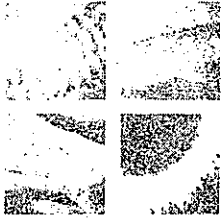
Conference room: 225

Testifier position: oppose

Testifier will be present: No

Submitted by: Alan Gottlieb

Organization: Hawaii Cattlemen's Council



Hawaii Crop Improvement Association

Growing the Future of Worldwide Agriculture in Hawaii

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Alicia Maluafiti

Testimony By: Alicia Maluafiti

SB 712 - Relating to Genetically Engineered Plants

The Senate Committees Energy and Environment and Agriculture

Tuesday, February 1, 2011

Room 225, 2:55 p.m.

Position: Strongly Oppose

Aloha Chairs Gabbard and Nishihara, Vice Chairs English and Kahele and members of the Committee:

My name is Alicia Maluafiti, Executive Director of the Hawaii Crop Improvement Association, a nonprofit trade association representing the seed industry in Hawaii. HCIA strongly opposes Senate Bill 712.

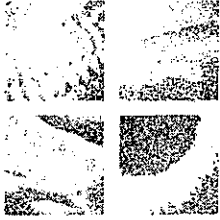
Biotech Crops already heavily regulated

Three U.S. regulatory bodies – the US Department of Agriculture (USDA), Environmental Protection Agency (EPA) and Food and Drug Administration (FDA) review and evaluate agricultural biotechnology. These agencies are provided information required for oversight including the location and the traits in the crops that lead to improved agricultural genetic characteristics.

Despite criticism about the regulatory oversight and control of biotech crops, at no time has human health and safety been at risk. With almost 15 years of commercialized biotech crops on the market, there has never been a documented incident of any harm to the health of consumers, farmers or the environment anywhere in the world. There are thousands of scientific and peer-reviewed studies that substantiate the health and safety of biotech crops, and that these crops are substantially equivalent to non-biotech crops therefore pose no health and safety risks.

Coexistence the key cross-pollination

Farmers who follow agriculture best practices know that discussion with neighbor farmers are necessary to ensure crop varietal purity – no matter if conventional, organic or biotech crops being grown. Just last week, the USDA reaffirmed their commitment to the importance of coexistence through their regulatory decision to unconditionally deregulate biotech alfalfa – despite requests by organic growers to place restrictions on farmers of biotech crops. This decision even comes after a complete Environmental Impact Statement was completed by the USDA documenting the safety of biotech alfalfa.



Hawaii Crop Improvement Association

Crowing the Future of Worldwide Agriculture in Hawaii

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Risk of Vandalism and Safety of Workers at issue

At the heart of HCIA's opposition to this bill is fear of vandalism, or worse, threat of worker safety and destruction of crops by those who oppose the technology. During the contentious taro moratorium hearings, the largest commercial taro grower on Kauai who testified in opposition to the moratorium received not only threats over the phone at his place of business, but his family received threats at their home.

To demonstrate the extreme lengths that activists are sometimes willing to go, attached is a May 19, 2000 GenetiX press release – "Hawaiian Elves Destroy GE Crops and Research on the Island of Kauai" secured by the USDA. In 2009, the 9th Circuit US Court of Appeals filed and ruled that a challenge for site disclosure of certain genetically engineered plants by the Center for food Safety, KAHEA, Friends of the Earth, and Pesticide Action Network was not justified because of risk of vandalism and possibility that trade secrets would be stolen. Also in 2009, CBS News reported the sentencing of an anti-GMO activist to 22 years in prison for arson at the Michigan University Campus (attached).

Our concerns are justified. We ask that you hold this bill in committee. Mahalo for the opportunity to comment.

PRESS RELEASE: HAWAIIAN ELVES DESTROY GE CROPS AND RESEARCH ON ISLAND OF KAUAI

May 19 2000
GenetiX press release

Hawaiian Elves Destroy GE Crops and Research on Island of Kauai Kauai, HA

- On Tuesday May 9th anti-biotech activists calling themselves the Menehune struck against the biotechnology industry which has invaded the Hawaiian Island. A communique sent by the Menehune stated that --the biotechnology industry has quietly flooded the land with genetically engineered crops.} According to the communique the activists first targeted the Novartis Research and Parent Seed Center near Kekaha, Kauai.

A growing movement continues to grow internationally against genetically modified organisms (GMO*s) such as corn, soya, rapeseed, and genetically altered forests. Genetically modified organisms exist for one reason: the drive for profit by large multinational corporations. The communique continued

--At the Novartis center, we completely destroyed one test plot of corn. We also removed bags over the corn ears that contained pollen and mixed pollen from different corn throughout other test plots to invalidate the experiments.}

The Menehune, a Hawaiian, term which refers to the elven folk or little people, struck a second night, May 10th, at the Kauai Agricultural Resource Center which is operated by the University of Hawaii at Manoa and the USDA Agricultural Research Service. At the second site test crops, mostly fruits such as papayas and pineapples and flowers such as anthuriums and dendrobium orchids, were destroyed.

*Attached is copy of the communique sent by the Menehune. Communique To The Bioengineering Action Network--Aloha,
We are writing to you from the Hawaiian island of Kauai, where the biotechnology industry has quietly flooded the land with genetically engineered crops. We came across your information on the internet, and we ask that you help us distribute the following news.

On Tuesday May 9th, our group went to one of the worst industrial places, the Novartis Research & Parent Seed Center on Kaunualii Hwy (Hwy 50) near Kekaha, Kauai. They hold many permits for transgenic corn, including Bt plants which kill beneficial insects and send insecticides through their roots into the soil. At the Novartis center, we completely destroyed one test plot of corn. We also removed bags over the corn ears that contained pollen and mixed pollen from different corn throughout other test plots to invalidate the experiments.

Novartis has made dozens of dangerous tests at this place. Before Novartis came here, Northrup King tested Roundup Ready and Bt cotton for Monsanto on this piece of earth. You can feel the violence suffered by the Aina, the land, when you walk around here at night.

The next night, May 10th, we went to the Kauai Agricultural Resource Center on the Old King's Highway (now 580), operated by the University of Hawaii at Manoa and the USDA Agricultural Research Service. Over the course of several hours and under rain showers, we eliminated many test crops, mostly fruits such as papayas and pineapples and flowers such as anthuriums and dendrobium orchids. These crops are subject to genetic mutilation by these institutions, who hold the permits to do so from the USDA. One sign in front of twisted, sickly-looking fruit trees had these words: --Experimental Crop Unfit For Human Consumption Or Animal Feed.} It's nice when they acknowledge what we've been saying all along.

The state government is fully behind this technology, and is lobbying to bring the Biotechnology Industry Organization's annual meeting here in 2004. Did we get 100% g.e. crops? 50%? We will never know, because they do not tell truth. What is important is that we acted on the information we had. We have no other choice. Along with other methods, we must stop the genetic pollution of our homeland. Kauai imports 97% of its food, and this research does nothing to make us self-sufficient, instead it makes us dependent on greedy corporations. It does not respect the ola, or well-being, of the land or the people. Biotechnology = Hunger.

Signed,

The Menehune

(in Hawaii, the elven folk are called the Menehune, or little people, who perform good deeds for mortals but only at night when they can not be seen)

Routed by:

Peter Bretting

USDA/ARS, National Program Staff

Room 4-2212, Mail Stop 5139

5601 Sunnyside Ave. Beltsville, MD 20705-5139

Phone: 301.504.5541, Fax : 301.504.6191

Mobile Phone: 301.346.7719

E-mail: pkb@ars.usda.gov

Woman Gets 22 Years For '99 Mich. Campus Arson

LANSING, Mich., Feb. 5, 2009

(AP) A radical activist who helped set a \$1 million fire to protest research on genetically modified crops was sentenced Thursday to nearly 22 years in prison _ even more than the prosecution recommended.

Marie Mason decided to "elevate her grievances beyond the norms of civilized society" through fire and destruction, U.S. District Judge Paul Maloney said. The case _ which was prosecuted as domestic terrorism _ was "about an abandonment of the marketplace of ideas," he added.

The explosion and fire caused more than \$1 million in damage to Michigan State University's Agriculture Hall on New Year's Eve 1999.

In her plea agreement, she also admitted causing another \$3 million in damage through other acts from 1999 to 2003, including destroying homes under construction in the Detroit area and Indiana and setting fire to two boats owned by a man who formerly raised minks.

The 47-year-old Mason, of Cincinnati, had acted on behalf of the radical group Earth Liberation Front, or ELF, which has been implicated in a spate of similar crimes, mostly in the West.

She had pleaded guilty in September to conspiracy and arson after reaching a deal with prosecutors. The prosecution had been aided by Frank Ambrose, her former husband, who cooperated with the FBI.

The investigation was cold until spring 2007, when a man looking for scrap cardboard found gas masks, an M-80 explosive, maps and anti-government writings in a suburban Detroit trash bin.

They belonged to Ambrose, who apparently was trying to shed remnants of his past. The FBI searched his home, and he became an informant, blowing the whistle on himself and Mason and going undercover to record 178 conversations with other activists.

At MSU, Mason and Ambrose targeted a campus office that held records on research related to moth-resistant potatoes for poor parts of Africa. Computers, file cabinets and desks were doused with a flammable liquid. Vapors contributed to an explosion, and the fire got out of control.

The explosion burned Mason's hair and prevented her from finishing the message, "No GMO," on a wall, a reference to genetically modified organisms.

"Pure luck" prevented the couple from being killed, Assistant U.S. Attorney Hagen Frank said. "Did that deter Ms. Mason? Not one bit. She celebrated it. Her community celebrated it."

Prosecutors had recommended 20 years in prison for Mason _ a term that would have been "the most onerous sentence imposed in a case of this sort," Frank said.

Speaking near the end of a three-hour hearing, Mason said she had been "misguided" and was sorry for those who were frightened by her actions. "I meant to inspire thought and compassion, not fear," she told the judge.

Maloney sentenced Mason to 21 years and 10 months in prison and described her as a "high risk" to repeat her crimes.

Defense lawyer John Minock said he would appeal the sentence. "I'm shocked," he said outside court. "It's grossly out of proportion to other cases."

Ambrose was sentenced in October to nine years in prison.

In an interview, U.S. Attorney Don Davis tipped his hat to Andy Wishaw, the man who alerted authorities to the unusual things he found in the trash bin.

"This case, like many other cases, was resolved through citizen interaction with law enforcement," Davis said.



Hawaii Farm Bureau
F E D E R A T I O N

2343 Rose Street • Honolulu, Hawaii 96819
Phone: (808) 848-2074 • Neighbor-Islands: (800) 482-1272
Fax: (808) 848-1921 • Email: info@hfbf.org
www.hfbf.org

SENATE
COMMITTEE ON ENERGY AND ENVIRONMENT
and
COMMITTEE ON AGRICULTURE

February 1, 2010

RELATING TO GENETICALLY ENGINEERED PLANTS.
SB 712

Chairs Gabbard and Nishihara, and Members of the Committee,

The Hawaii Farm Bureau Federation **strongly opposes** SB 712, “Relating to Genetically Engineered Plants.” This bill will burden many farmers with reporting requirements which, after many years of research, the Federal government has not deemed necessary to impose. It will also create substantial new information recording and reporting requirements for an already overburdened Department of Agriculture. While apparently directed primarily at seed corn producers who conduct trials of new varieties, SB 712 would affect any farmer who produces genetically modified crops.

In its opening paragraph, SB 712 cites overall State farm revenues, with the implication that genetically modified crops are a threat to these revenues. In fact, genetically modified seed corn production (at which this bill seems primarily directed) is the largest single component of Hawaii’s agricultural income. Also significant are the production of ringspot-resistant papayas and other crops such as sweet corn that rely to a significant extent on genetically modified plants, and which supply primarily local markets.

Of greatest concern, however, is the risk that will be imposed upon many of Hawaii’s farmers by SB 712’s reporting requirements. Growers of genetically modified crops have been threatened with crop destruction and bodily harm by GMO opponents. These threats are misguided, but they do exist. Growers of genetically modified crops in Hawaii are not always large companies with security departments; many are small farmers who will be placed at risk if their farms are singled out by name and location. We hope, therefore, that your concern for Hawaii’s farmers will lead you to reject SB 712 as unnecessary and dangerous.

Thank you for the opportunity to testify in opposition to this proposed legislation.

**THE TWENTY-SIXTH LEGISLATURE REGULAR SESSION
OF 2011**

**SENATE COMMITTEE ON ENERGY AND ENVIRONMENT
AND
SENATE COMMITTEE ON AGRICULTURE
Tuesday, February 1, 2011 – 2:55 p.m.**

**SENATE BILL 712
RELATING TO GENETICALLY ENGINEERED PLANTS**

CHAIRPERSONS GABBARD AND NISHIHARA and Members of the Committees:

My name is Karen K. Umehara, representing the office of the Hawaii Papaya Industry Association where we are located on the Big Island. My office oversees the papaya commodity statewide numbering over 140 growers.

I am writing in opposition to SB 712, Relating to Genetically Engineered Plants. Speaking on behalf of our 140 growers strong, we are sincerely grateful to bio-technology which has afforded the papaya industry a second chance to be a viable agriculture commodity for and in our State of Hawaii. Agricultural bio-technology allows not only our papaya growers but majority of farmers to produce with environmental benefits for our population. Our papaya growers are able to produce with improved characteristics, most important to be virus resistant added with higher yields and better fruit quality.

I oppose public disclosure of regulated research or approved commercial bio-tech crops brought about with fear –of-the- unknown as believed by those who do not support bio-technology. Our growers' fields may be cause for unjustified vandalism as well as threats of their bodily safety. Simulations by activists have made negative impacts through media coverage that we don't want to re-visit such an ugly scenario.

Bio-technology has been proven safe for environment and human consumption. Consumers here in our State of Hawaii have been eating this delicious bio-tech food without any proven ill or side effects; while bio-technology began back in the 1920s with the first production of hybrid corn.

I thank you very much for this opportunity to testify on SB 712.

BIG ISLAND FARM BUREAU



TESTIMONY on SB 712 RELATING TO GENETICALLY ENGINEERED PLANTS

Hearing: Tuesday, February 1, 2011 @ 2:25 p.m
Conference Room 225

P.O. Box 1630
Kamuela, HI. 96743

Phone: 808-775-8015

Fax: 808-775-9115

E-mail: bifb@hawaiiantel.net

**Senator Gabbard, Chairperson, Committee on Energy & Environment
Senator Nishihara, Chairperson, Committee on Agriculture**

Aloha Chairpersons and Committee Members

We **STRONGLY OPPOSE** Bill SB 712 which imposes further restrictions on genetically modified plants.

My name is Lorie Farrell, Executive Director of the Big Island Farm Bureau. We are directly affiliated with the Hawaii Farm Bureau Federation with 650 members on the Island of Hawaii.

The Hawaii Papaya Industry is a testament to a Federal regulation system that works. The Federal rules, regulations and hurdles that must be passed for field trials of GE crops is no small feat, the rainbow papaya endured approximately 16 years of trials and regulation before it came to fruition. If the papaya research had not started early; the papaya industry as we know it today would not exist. The Hawaii Papaya Industry has an economic impact of over \$14 million dollars per year with over 400 small rural disadvantaged and mostly minority farmers on Hawaii Island alone; without the Rainbow Papaya these farmers would not be in existence today!

As many of you may recall over the past year we have witnessed papaya farmer's fields damaged by vandalism. Is it because of their crop?; we don't know but we do know the public comments seemed to justify the destruction of a farmers livelihood based on their crop choice of genetically modified papaya's. We realize this bill relates to field trials, they face even greater risk.

Freedom of choice for farmers and ranchers is absolutely critical – freedom to choose what to grow as well as how to grow it. Farming is essential to our society's survival, but it is a very challenging career choice. Farmers must be allowed to choose every tool available that will help ensure the viability of their farms and their crops. Genetic modification is nothing more than one of those important tools. Biotechnology can help farmers reduce pesticide use, increase production and improve the quality of their crops. When farmers are given full freedom of choice, it increases freedom of choice for consumers as well. In order for Hawaii's farmers to choose there must be research and field trials.

Hawaii's agricultural producers are severely disadvantaged in many ways, remote location, alien species, quarantine laws, transportation costs and the high cost of

production in Hawaii; please do not add to the already growing burden; our producers deserve the Freedom of choice! They deserve the freedom to choose which tool is the best fit for their business model.

Agriculture is a massive contributor to Hawaii Economic sustainability if you continue to impose restrictions and provide limited support; you're restricting their options and limit their abilities to be competitive and survive. There is a constant thread that weaves us all together it's Agriculture; it binds our communities together; please support that by ensuring our agriculture producers have all the tools and options needed to survive in this global marketplace.

Throughout this debate, we have heard all kinds of arguments. Many are rooted in emotional fears and lack of understanding, and are not based on good logic or science.

One of them is a fear of contamination. The highly successful GM papaya industry on the Big Island co-exists alongside conventional and organic papaya trees. The approval process for export to Japan is well underway in Japan. An identity protocol procedure is in place that conventional papaya growers use to prove their fruit is GM free. This is a zero tolerance protocol. Knowledge of their crop allows papaya farmers to successfully grow conventional and biotech papaya side by side. It has often been said that conventional papaya exists because of GM papaya. The GM papaya reduces the incidence of papaya ringspot in the environment, thereby allowing the non resistant trees to exist.

Another argument is that GMO work is not needed, that marker-assisted breeding is sufficient. This is like saying that a tool box with everything except the screwdriver is enough to build a house. Marker-assisted breeding is a major advancement beyond conventional breeding methods. Recombinant DNA technology is a major step beyond marker-assisted breeding. Researchers will often use one tool to gain valuable knowledge, which in turn helps them use other tools to get to a solution. Clouding this debate is anti-GMO activism. GMO opponents frequently cite the unknown as a reason to stop the technology. In reality, GM technology is one of the most regulated, well tested and highly precise forms of breeding. The difference is like using a surgical knife rather than a chain saw. GM technology strictly limits its plant modifications to one trait at a time, and one trait only. No other type breeding method, including conventional and traditional methods, can say the same. Biotechnology is not some kind of weird, unknown science. It is founded in decades of solid research and has a stellar track record.

We strongly believe in co-existence of all forms of agriculture: conventional, organic and biotech; we strongly oppose any legislation that would sabotage this important effort.

Thank you for this opportunity to testify.

Lorie Farrell

Big Island Farm Bureau



Sierra Club Hawai'i Chapter

PO Box 2577, Honolulu, HI 96803
808.538.6616 hawaii.chapter@sierraclub.org

SENATE COMMITTEE ON ENERGY AND ENVIRONMENT SENATE COMMITTEE ON AGRICULTURE

February 1, 2011, 2:55 P.M.
(Testimony is 1 page long)

TESTIMONY IN SUPPORT OF SB 712

Chair Gabbard, Chair Nishihara, and members of the Committees:

The Sierra Club, Hawai'i Chapter, supports SB 712, requiring the disclosure of the location of field tests and production of genetically engineered plants.

Genetically modifying organisms—the practice of splicing DNA from bacteria, viruses and other organisms into plants to lend them certain traits, like resistance to chemical weedkillers—poses extreme risks to our common environment. Manipulation of genetic material by inserting bacteria, plant, animal, and human genes into food products is a radical departure from traditional breeding techniques and represents an unprecedented break with natural processes.

In Hawai'i, such genetically modified organism (GMO) biotechnology is mainly experimental. Most of the experiments are taking place not in a laboratory, but in the open air, in locations concealed from the public. In fact, Hawai'i has had more plantings of experimental biotech crops than anywhere else in the nation—or the world.

Hawaii's small size, its close proximity of agricultural and populated areas, and its unique, sensitive, natural environment combine to dramatically raise the stakes of testing GMO crops here. A December 2005 report from the Inspector General of the US Department of Agriculture (USDA), found that USDA's inadequate safeguards "increase the risk that genetically engineered organisms will inadvertently persist in the environment before they are deemed safe to grow without regulation."

The public deserves to know the magnitude of the problem in Hawai'i. To adequately protect the environment and the public, full disclosure, just as with hazardous waste sites, should be provided to the public.

Mahalo for the opportunity to testify.



Maui County Farm Bureau

P.O. Box 148 • Kula, Hawaii 96790 • Phone/Fax: (808) 878-2688 • www.mauicountyfarmbureau.org

Senate
Committee on Energy and Environment
and
Committee on Agriculture
February 1, 2010

SB 712

RELATING TO GENETICALLY ENGINEERED PLANTS

Chairs Gabbard and Nishihara, and Members of the Committee,

Maui County Farm Bureau on behalf of our commercial farm and ranch families and organizations on the island **opposes SB 712, requiring the disclosure of field tests of genetically engineered crops.**

MCFB believes that genetic engineering is a tool in a farmer or rancher's toolbox and when approved by EPA or FDA can be used safely without threat to human health or the environment. During its testing stages, there are rigorous requirements imposed by EPA and USDA.

Opponents of the technology have repeatedly demonstrated that they will not respect private property. If laws like this are passed, the State will need to ensure the protection of the employees who work in these fields. It will be an open field day to attack these test locations.

MCFB respectfully requests this measure be held because of concerns for worker safety. We are also in agreement with the testimony of the Hawaii Farm Bureau Federation.

Thank you for this opportunity to provide our opinion on this important matter. If there are questions, please contact Warren Watanabe, Executive Director of MCFB at 2819718.

Hawai'i SEED is in strong support of SB 712

We represent consumers and growers, on each island, that feel genetic engineering is a very flawed science. There have been few safety studies to observe how these new life forms affect the traditional species. Eating GE foods has proven to be harmful in laboratory animals.

For the last decade these experimental crops have been growing near our homes, schools, streams and oceans with no public, county or state right to know. This is unacceptable and violates home rule. Why should the true nature of the experiment and the location not be known by our mayor, county council or traditional commodity farmers?

How are the experiments allowed to be here without an EIS first?

Allowing these experimental laboratory bred species of corn, soy, canola, sunflower, wheat, rice and tobacco, into the wild without the capacity to recall it, is irresponsible. When these companies leave, who will be responsible to clean up the genetic contamination?

GE species may out-compete other species in the ecosystem. It is hard to contain a new life form. Whether through human error or containment malfunction, the unintentional consequences can occur. We should use precaution, especially here in our beautiful, remote state.

There is little attention given to the protection of traditional crops and it would be damaging to the balance of nature to lose that genetic diversity, especially in food sources. As we strive towards self sufficiency, protecting the ability to grow high value and high nutrition food, this technology that most consumers reject, will only taint the perception of fresh, Hawaiian grown food.

The presence of the this experimental research should be disclosed for the safety of those with asthma, keiki and kapuna.

Malama I ka Honua for future generations,
Jeri Di Pietro
Hawai'i SEED
hawaiiiseed.org



Poamoho Organic Produce
PO Box 728
Waialua HI 96791
808-637-4555
info@poamoho-organic.com

January 27, 2010

To: Committee on Energy and Environment
Committee on Agriculture
Re: Joint Hearings on February 1st, 2:55 pm, Rm 225
Subject: Testimony in favor of SB 712 & SB 713

Aloha Committee Chairs and Joint Committee Members,

I am an organic farmer on the North Shore of Oahu and President of the Hawaii Center for Organic Farming. Please accept my testimony in favor of SBs 712 and 713.

In the case of **SB 712**: Related to the Location of GMO fields; I am relieved that the State will finally be provided locational information of GMO test and production fields. As you may know, the GMO corn seed industry is now the largest State's largest agricultural product. This has come about through the transfer of thousands of acres of productive Ag lands to these mainland-managed companies and the subsequent dispersal of their plantings throughout and into even remote areas. There have already been cases of GMO cross contamination of our products and seeds. SB 712 will give our Department of Agriculture the necessary information to follow up on any further environmental contamination events.

In the case of SB 713: Related to Labeling of GMO Products, I am extremely gratified that this Bill will finally end the biggest fraud being committed against our consumers by the GMO companies. As all surveys on labeling have shown, consumers just want to know basic information so that they may exercise their own values in selecting foods for their families. SB 713 is consistent with all of the other labeling requirements for organic products, for food safety certified products and for Country of Origin. Only the labeling of GMO products has escaped the most basic of identification criterion – what is in my food. Mahalo.

Al Santoro, Farmer



TESTIMONY BEFORE THE SENATE COMMITTEE ON
ENERGY AND ENVIRONMENT
AND
SENATE COMMITTEE ON AGRICULTURE

SENATE BILL 712

RELATING TO GENETICALLY ENGINEERED PLANTS

PRESENTED TO THE TWENTY-SIXTH LEGISLATURE

FEBRUARY 2011

CHAIRPERSONS GABBARD AND NISHIHARA and Members of the Committees:

STRONGLY OPPOSE.

My name is Loren Mochida, Director of Agriculture Operations at W. H. Shipman, Limited in Keaau on the Big Island. We are a local land kamaaina-family owned management company that is engaged in Agriculture and Commercial/Industrial development and leasing. We currently lease lands to over 125 individually growers at W.H. Shipman, Ltd.

W. H. Shipman, Ltd., and their growers are strongly opposed to SB 712, Relating to Genetically Engineered Plants. If passed, researchers in the public and private sector would be at risk of million-dollar losses in theft and vandalism by anti-GMO activists and other activists philosophically opposed to biotechnology.

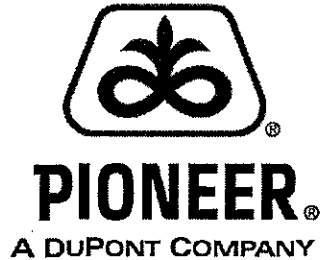


Prior to any field tests, the agencies of United States Department of Agriculture (USDA), Environmental Protection Agency (EPA), and Food and Drug Administration (FDA) have already proven that the biotechnology plant is safe for the environment and human consumption. These agencies are provided information required for oversight including the location and the traits in the crop that lead to improved agricultural genetic characteristics. We have been eating biotech foods for over 20 years without any ill or side effects.

The activist will come in and destroy crops like they did in the Puna District on the Big Island. They wore white suits and also masks to simulate that it was a virus or something similar to contamination. They then posted it in the news . A similar event also took place in Thailand a few years ago destroying the governments test plots causing million-dollar losses.

Our opposition to public disclosure of either regulated research or approved commercial biotech crops is based on fear of vandalism, or worse, threat of worker safety and destruction of crops by those not supportive of the technology. Innovations brought about by agricultural biotechnology over the years allow growers to produce more food, feed, and fiber on less land, often with significant environmental benefits.

Thank you very much for the opportunity to provide testimony on SB 712.



Pioneer Hi-Bred International, Inc.
Cindy Goldstein, Ph. D

SB 712 - Relating to Genetically Engineered Plants
COMMITTEE ON ENERGY AND ENVIRONMENT and COMMITTEE ON AGRICULTURE
Tuesday, February 1, 2011 at 2:55 p.m.
Conference Room 225

Chairman Gabbard and Vice Chair English, Chairman Nishihara and Vice Chair Kahele and members of the Committees

My name is Dr. Cindy Goldstein, representing Pioneer Hi-Bred International, Inc., with facilities on Oahu and Kauai.

Pioneer Hi-Bred opposes SB 712

Pioneer Hi-Bred International, Inc. produces corn, soybean and sunflower seed crops in Hawaii, with operations in four locations in the state. We carry our research and development at our sites and multiply seed to develop new hybrids and varieties that are more productive for farmers in the US and around the world. Pioneer employs approximately 400 people in a wide range of types of jobs on Oahu and Kauai.

Pioneer Hi-Bred is a seed company that strongly believes in the importance of scientific innovation and research to develop hybrid corn seed and plant varieties that bring benefit to agriculture producers. Our work is science-based, with a robust regulatory system for genetically engineered products.

Pioneer opposes this bill requiring the Hawaii Dept of Agriculture to disclose the location of field tests of genetically engineered plants to the public. We are concerned about site disclosure because of the risk it poses to field tests of genetically engineered plants and the significant financial losses to research materials and new products that could result from the actions of trespassers or vandals.

Agricultural theft and trespassing has been, and continues to be, a significant problem for Pioneer Hi-Bred. Providing specific details of site locations would increase the threat of theft and trespassing, and disclosure poses a threat to safety of our employees that may encounter trespassers.

Federal agencies that oversee field tests of genetically engineered crops and the Hawaii Department of Agriculture are provided with information on field test locations and the genetic characteristics of biotech crops. This allows the required oversight of field tests by the agencies tasked with regulation of these crops.

We respectfully oppose this bill because it provides an opportunity for individuals that oppose our work and for individuals that may vandalize or steal agricultural equipment to have specific knowledge of the location of our agricultural operations

Thank you for the opportunity to provide testimony for this hearing.

COMMITTEE ON ENERGY AND ENVIRONMENT & COMMITTEE ON AGRICULTURE

DATE: Tuesday, February 1st, 2011.

TIME: 2:55 p.m.

PLACE: Conference Room 225

RE: RELATING TO GENETICALLY ENGINEERED PLANTS.

Chair Nishihara, Chair Gabbard and Members of the Committees,

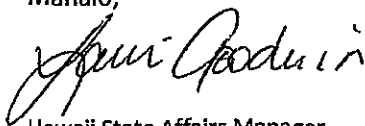
Syngenta Hawaii strongly opposes SB 712. SB 712 would require the Hawaii Department of Agriculture to make public the location of field tests of genetically engineered plants. The seed industry is regulated and audited by the Environmental Protection Agency (EPA), the United States Department of Agriculture (USDA) and the Food and Drug Administration (FDA). Any and all field trials of genetically engineered products are conducted in full compliance with all applicable federal environmental laws and regulations. These agencies are provided with the GPS location and the genetically engineered traits in the crop. We are audited during each crop cycle by the USDA to ensure our compliance.

In my role I have the opportunity to reach out to varied members of the community to educate about the research we do and the science we practice. The majority of those I interact with are respectful even if we do not agree on the topic of genetic engineering. However, there are those whose fervent opposition leads to threats and intimidation. Most recently I had the opportunity to try and address the concerns of an individual on Kauai. He has devoted his time to videotaping our operations in an effort to intimidate our employees. He has approached our employees in the field to voice his disagreement over our operations and he has called me numerous times to complain – even before we began any field operations in the field. Despite his philosophical opposition to genetic engineering and pesticides I have attempted to explain our operations, the reasons behind them and why I believe in genetic engineering and the appropriate use of pesticides. After several phone calls, his frustration level escalated. He began calling me offensive, derogatory names (including those that are most offensive to women) and concluded by screaming that he “hoped I died”.

If this bill passed, researchers in the public and private sector would be at risk of crop loss and vandalism. But of utmost concern is the potential threat to our employees.

Thank you for the opportunity to submit testimony.

Mahalo,



Hawaii State Affairs Manager
Syngenta Hawaii LLC
7050 Kaunualii Highway | Kekaha, HI 96752
PO Box 879 | Walmea, HI 96796
office: 808-337-1408 Ext. 120 | mobile: 808-652-0768
laurle.goodwin@syngenta.com

**THE TWENTY-SIXTH LEGISLATURE REGULAR SESSION
OF 2011**

**SENATE COMMITTEE ON ENERGY AND ENVIRONMENT
AND
SENATE COMMITTEE ON AGRICULTURE**

2:55 p.m. - TUESDAY, FEBRUARY 1, 2011

**SENATE BILL 712
RELATING TO GENETICALLY ENGINEERED PLANTS**

CHAIRPERSONS GABBARD AND NISHIHARA and Members of the Committees:

My name is Orlando Manuel, owner-papaya grower of Manuel Farms, Inc. I reside in Keaau but farm in Kapoho here on the Big Island. I lease 24 acres from Kapoho Land Development (Lyman).

I am an independent grower and I voice my opposition to SB 712, Relating to Genetically Engineered Plants. I am sincerely grateful to biotechnology which gave, is giving, the papaya industry a second chance to be a producing commodity for our State of Hawaii. Agricultural biotechnology allows not only us papaya growers but majority of farmers to produce more food and feed on less land and above all else only with environmental benefits for our population.

I oppose public disclosure of regulated research or approved commercial biotech crops because I fear this will pose destruction by those who do not support biotechnology. There is the fear of unjustified vandalism as well as threats of safety not only for myself but my workers. There is proof of activists who destroyed a papaya crop that was posted in the news; we don't need to go there again.

Biotechnology has been proven safe for environment and human consumption. Consumers here in our State of Hawaii have been eating this delicious biotech food since 1999 without any proven ill or side effects.

I thank you very much for this opportunity to testify on SB 712.

gabbard1 - Carlton

From: KOEHLER, PAUL H [AG/2563] [paul.h.koehler@monsanto.com]
Sent: Monday, January 31, 2011 3:48 PM
To: ENETestimony
Subject: Testimony before ENE/AGR hearing - Feb 1st - SB712

Aloha,

Please below my find testimony for SB712 hearing scheduled for Feb. 1st at 2:55pm.

**TESTIMONY BEFORE THE SENATE COMMITTEE ON ENERGY AND THE ENVIRONMENT AND
THE SENATE COMMITTEE ON AGRICULTURE**

SB 712

RELATING TO GENETICALLY ENGINEERED PLANTS

February 1, 2011

Aloha Chair Gabbard, Chair Nishihara, Vice Chairs and committee members: My name is Paul Koehler, Director of Hawaii Community Affairs for Monsanto Hawaii. I am testifying before you today in **strong opposition to SB 712**, which requires the Hawaii Department of Agriculture to release the confidential location of field trials and the production of genetically engineered plants.

During the past 42 years the Hawaii seed industry, of which Monsanto is a part, has grown considerably and has now become the single largest agriculture commodity in terms of value in this state. The most recent Hawaii Agriculture Statistics Service now values the industry at \$222.6 million in direct spending in Hawaii. This industry, unlike many others recently, has actually grown and over the past 10 years has achieved an annual growth rate of approximately 20% per year. Given the state of our economy, this growth is noteworthy.

This measure is duplicative, unnecessary and discriminatory to the confidentiality of the business operations of our highly sensitive and competitive seed industry. Various qualified federal government agencies, including the USDA, EPA and FDA closely oversee and regulate agriculture biotechnology. In this state, the Hawaii Department of Agriculture (HDOA) also actively oversees these same field tests. The additional requirement of public release of confidential information will place agriculture research at risk of potential vandalism and terrorism and could expose our employees to physical harm. It is not inconceivable that these acts won't take place here in the Aloha state. In May 2000, a group calling themselves the "Menehune" boasted of their destruction of crops at the UH Kauai Agriculture Research Station and at a seed company on the west side of Kauai. In September 2007, nearly 4,000 corn plants were selectively sought-out and chopped down and destroyed in a seed nursery on Molokai.

In February 2009, a challenge for site disclosure of certain genetically modified plants was denied by the 9th Circuit, U.S Court of Appeals. The court ruled that the sealing of information regarding the location of field

trials was justified because of the risk of vandalism and the possibility that research findings would be disclosed or stolen. Revealing the location and technical details of our research fields will expose highly confidential research information to our global competitors. Many governments and global companies aggressively compete in this area of research.

This measure does nothing to further responsible science and technology nor does it encourage the expansion of farming in Hawaii. I would respectfully ask that you reconsider this measure. Mahalo.

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SB 712

DATE: Tuesday, February 1, 2011

TIME: 2:55 p.m.

I urge you to pass this bill. Island residents and farmers have the right to know when they are living or growing produce near a genetically engineered crop. There has been too much trouble with "drift" of pollen to continue blindly allowing companies like Monsanto to plant crops without at least making the public aware that they are being exposed to the dangers of genetic engineering.

Kris

Kris Bordessa

1/28/2011

Senate Committee on Energy and the Environment
Chair – Senator Mike Gabbard
Senate Committee on Agriculture
Chair – Senator Clarence Nishihara

Meeting Date: February 1, 2011 @ 2:55 P.M.
Conference Room 225
Hawaii State Capital 415 S. Beretania St.

RE: Senate hearing on SB712.

Joint Chairman Gabbard and Nishihara,

This letter is in **OPPOSITION** to the Senate effort to make public the location of field tests of genetically engineered plants in Hawaii. If passed, researchers in the public and private sector would be at risk of million-dollar losses in theft and vandalism by eco-terrorists and other activists philosophically opposed to biotechnology. I oppose this bill because there are three U.S. regulatory bodies - the United States Department of Agriculture (USDA), Environmental Protection Agency (EPA), and Food and Drug Administration (FDA) that review and evaluate agricultural biotechnology.

My opposition to public disclosure of either regulated research or approved commercial biotech crops is based on fear of vandalism, or worse, threat of worker safety and destruction of crops by those not supportive of the technology.

I request Hawaii lawmakers to share the commitment by President Obama to expand agriculture, to keep pace with the latest scientific developments, and to take into account the needs of all producers and all types of production.

I urge the Senate Committee on Energy and the Environment and the Senate Committee on Agriculture to terminate SB712.

Sincerely,



Michael Austin
PO Box 26441

Honolulu, Hawaii 96825

Aloha Honorable Committee Members;

I strongly support SB712 related to the labeling of genetically engineered crops and SB713 related to the labeling of genetically engineered foods.

As a farmer, I have a right to know whether my own crops are at risk of contamination from genetic drift and cross pollination in adjacent fields or from upstream water sources or soil erosion. I have a right to know if the super weeds and pests typically found in genetically engineered crop fields due to resistance to the chemical practices and genetically engineered cultivars used by biotech companies are going to end up on my farm and in my produce. Each of these things has a cost on my farm for which these companies pay no compensation or liability, including crop loss, organic certification loss, increased labor and money to eradicate resistant weeds, changes in practices that cost time and money to pro-actively prevent impacts from bioengineered fields. Those additional costs get passed on to the consumer, whether in real dollars or in health care. If I share my produce, I also lose my ability to guarantee that the food that I grow is safe for consumption and will cause no harm. If I knew where the genetically engineered fields were located, I could at least make informed decisions about where, or if, to grow food at all.

As a farmer and resident, I have a right, to not have my health compromised without fully informed consent by the chemical and genetic practices of the companies and farms that raise such crops or sell foods that contain genetically engineered elements.

The Department of Health has a duty to protect the public, especially schools, from contaminant drift from such operations such as those that occurred on Kauai. They can not do so without knowing what genetically engineered crops are being grown and where those fields are located. The public can not make informed choices about where to live for the same reasons.

As a consumer, I have a right to determine the kinds of foods that go into my body. If genetically engineered foods are safe, as the companies tell us, then they would not be afraid to label their foods. There is substantial evidence on both sides to raise numerous questions. The fact that the questions - and the body of evidence of harmful impacts - continues to grow despite the billions of dollars, scientific staff and time thrown at discrediting such questions or evidence by the biotech industry, indicates clearly that we should err on the side of caution. As with DDT, it takes many decades to understand and measure the full impact of the actions we choose. And like DDT, the companies that produce such compounds, plants and products are likely to profess its safety until the truth becomes so self-evident that they can no longer pretend.

These bills bring genetically engineered crops and products in line with federal laws for equivalent unknowns such as the requirement of pharmaceutical companies to fully disclose all potential direct and side effects of a drug to the consumer.

These islands and the ocean that surrounds us are too precious for us to do harm because of a dollar.

I am not an experiment, nor are my children, my community or my 'aina - and neither are yours.

Please support SB712 and SB713.

Mahalo.

Penny Levin
Wailuku

Testimony for ENE/AGL 2/1/2011 2:55:00 PM SB712

Conference room: 225
Testifier position: oppose
Testifier will be present: No
Submitted by: Charles Zahn
Organization: Individual
Submitted on: 1/29/2011

Comments:

SB 712 would require the Hawaii Dept. of Agriculture to make public the location of field tests of genetically engineered plants. If passed, researchers in the public and private sector would be at risk of million-dollar losses in theft and vandalism by eco-terrorists and other activists philosophically opposed to biotechnology.

I oppose this bill because:

1. Three U.S. regulatory bodies - the United States Department of Agriculture (USDA), Environmental Protection Agency (EPA), and Food and Drug Administration (FDA) review and evaluate agricultural biotechnology.
2. These agencies are provided information required for oversight including the location and the traits in the crop that lead to improved agricultural genetic characteristics.
3. Farmers who follow agriculture best practices know that discussions with neighbor farmers are necessary to ensure crop varietal purity - no matter if it is conventional, organic or biotech crops.
4. The USDA believes so strongly in the safety of biotech crops that it announced just last week that it will fully deregulate a variety of biotech alfalfa.
This decision comes after a comprehensive environmental impact statement (EIS) conducted by USDA which analyzed the potential environmental impact of RR alfalfa, and concluded that it is safe and does not represent a plant pest risk to other farmers or the public.
5. The decision was based on sound science and two decades of regulatory precedence, and it supports President Obama's pledge to support science-based decision-making.
6. Innovations brought about by agricultural biotechnology over the years allow growers to produce more food, feed and fiber on less land, often with significant environmental benefits.
7. My opposition to public disclosure of either regulated research or approved commercial biotech crops is based on fear of vandalism, or worse, threat of worker safety and destruction of crops by those not supportive of the technology.

I ask Hawaii lawmakers to share the commitment by President Obama to expand agriculture, to keep pace with the latest scientific developments, and to take into account the needs of all producers and all types of production.

TESTIMONY ON SB 712

Senate Committee on Energy and Environment And Senate Committee on Agriculture

CHAIRPERSONS: Senator Mike Gabbard (Energy) and Senator Clarence Nishihara (Ag)

BILL NO: SB 712 – Registering of Genetically Engineered Crops
TITLE: Relating to Genetically Engineered Plants

HEARING DATE & TIME: Tuesday, February 1, 2011 2:55 PM

HEARING LOCATION: Conference Room 225

TO: Senator Mike Gabbard and Senator Clarence Nishihara, Chairpersons

My name is Don Gerbig, a retiree from the Hawaiian agricultural industry, a private citizen, and an advocate of sound science and the use of biotechnology (genetic engineering) to improve yields, pest resistance for our crops, and to fight hunger in the world.

If this type of legislation was needed, then every state in the union would have it. It appears to only provide fear of genetically engineered crops, with no scientific evidence of harm, in order to improve the marketing of organic crops. There is no scientific justification for this legislation.

Crossing breeding non-biotech crops with biotech crops does not occur on a regular basis. Distance and plant barriers can and are being used to reduce cross pollination. This bill only serves to protect the organic grower from biotech crops, but does nothing to protect the non-organic grower from disease contamination from organic crops

This type of regulatory registering of each genetically engineered crop and variety will produce an immeasurable cost to the non-organic growers while the organic grower is doing nothing to protect the non-organic grower. There is no money allocated within this legislation, that if passed, will increase the cost of growing all crops within the state. The DOA, who already have had their inspector funding cut to the bone, could not possibly fulfill the requirements of this legislation.

This legislation excludes or completely forgets the backyard growers who grow genetically engineered papaya or other crops, because they want to reduce or eliminate pesticides. How are these city-dwellers to be registered when growing genetically engineered papaya?

I strongly urge the committee **to not pass this unjustified legislation** that will only increase the farmers cost, the DOA's cost, and the Hawaii taxpayers cost in these trying times. The taxpayer would be better served if these two committees would consider priority legislation to reduce state government costs.

Don Gerbig
6 Tulip Place
Lahaina, HI 96761-8322

Web Testimony for SB 712

Conference room: 225
Testifier position: support
Testifier will be present: No
Submitted by: Melanie Stephens
Organization: Individual
Submitted on: 1/31/2011

Comments:

Aloha Elected Officials,
Please support this bill to make the testing, growth and sale of genetically modified foods transparent. Labeling of GMOs is essential so that every consumer can make informed food choices. Reporting of field trials will help neighbor farmers and landowners make choices about their land.
Mahalo for your awareness and concern

Testimony for ENE/AGL 2/1/2011 2:55:00 PM SB712

Conference room: 225
Testifier position: oppose
Testifier will be present: No
Submitted by: Jody George
Organization: Individual
Submitted on: 1/31/2011

Comments:

This bill would put public and private sector researchers at financial and physical risk from people who are philosophically opposed to genetic engineering. The locations of field tests of genetically engineers crops are not being kept secret. Industry and universities are already required to report locations of trials to the USDA, HDOA, and FDA. There is no need for further exposure that has little if any upside and a potentially costly downside.

Conference room: 225
Testifier position: oppose
Testifier will be present: No
Submitted by: Jeanette Baysa
Organization: Individual
Submitted on: 1/31/2011

Comments:

Three U.S. regulatory bodies - the United States Department of Agriculture (USDA), Environmental Protection Agency (EPA), and Food and Drug Administration (FDA) review and evaluate agricultural biotechnology.

These agencies are provided information required for oversight including the location and the traits in the crop that lead to improved agricultural genetic characteristics.

Farmers who follow agriculture best practices know that discussions with neighbor farmers are necessary to ensure crop varietal purity - no matter if it is conventional, organic or biotech crops.

The USDA believes so strongly in the safety of biotech crops that it announced just last week that it will fully deregulate a variety of biotech alfalfa.

This decision comes after a comprehensive environmental impact statement (EIS) conducted by USDA which analyzed the potential environmental impact of RR alfalfa, and concluded that it is safe and does not represent a plant pest risk to other farmers or the public.

The decision was based on sound science and two decades of regulatory precedence, and it supports President Obama's pledge to support science-based decision-making.

Innovations brought about by agricultural biotechnology over the years allow growers to produce more food, feed and fiber on less land, often with significant environmental benefits.

Our opposition to public disclosure of either regulated research or approved commercial biotech crops is based on fear of vandalism, or worse, threat of worker safety and destruction of crops by those not supportive of the technology. We ask Hawaii lawmakers to share the commitment by President Obama to expand agriculture, to keep pace with the latest scientific developments, and to take into account the needs of all producers and all types of production.

Testifier position: support

Submitted by: Denise Snyder

Organization: Individual

Submitted on: 1/31/2011

Comments:

I support this legislation. Hawaii is ground zero for genetically-engineered (GE) seed production. This uses up valuable ag land and water. I believe, these resources should be used to grow organic crops we can eat. Many GE crops are sprayed with chemicals which can contaminate our land, water and air. We have a right to know what is being grown in our community. This bill would give the public critical information which we can't get now.

We are guinea pigs. Most of us are eating genetically-engineered (GE) food. There were no human trials before GE foods were released into the U.S. food system. After the failure of the first GE tomato, Flavr Savr, all future GE food releases were done without any labeling or notice (beginning around 1996). Every effort was made to keep the U.S. public unaware that we had, without our knowledge, become participants in unsupervised and undocumented food testing trials.

FDA (U.S. Food and Drug Administration) scientists recommended against the release of GE food into our food supply. Scientific consensus at the agency was that GE foods were inherently dangerous and might create hard-to-detect allergies, poisons, new "super" diseases, and nutritional problems. They urged their superiors at the FDA to require rigorous long-term tests.

The AAEM (American Academy of Environmental Medicine) position paper, reflects, based on established scientific criteria, 'there is causation' between GE foods and 'adverse health effects.'

Animal studies that have been done reveal problems. GE food is linked to the increase in chronic health problems. Genes inserted into GE crops can transfer into the DNA of bacteria living inside our intestines and continue to function. GE tryptophan sickened hundreds and caused the deaths of dozens of people in the U.S. Our federal government covered up the fact that the tryptophan was genetically modified. Our Hawaii government needs to help keep the public informed about GE activities in our community.

GE crops were widely introduced in 1996. Within nine years, the incidence of people in the US with three or more chronic diseases nearly doubled—from 7% to 13%. Visits to the emergency room due to allergies doubled from 1997 to 2002. And overall food related illnesses doubled from 1994 to 2001, according to the Centers for Disease Control.

There are two primary reasons why plants are genetically engineered: to allow plants to either drink poison or produce poison. Biotech companies sell the seed and herbicide as a package deal, and US farmers use hundreds of millions of pounds more herbicide because of these types of GE crops. These chemicals pollute our water, land, and air and even if we avoid GE plants we get the pollution.

The majority of conventional (non-organic) foods sold in the United States containing soy, corn, canola, and/or flax contain genetically engineered ingredients. Most, if not all, restaurant food contains GE ingredients. Buying organic foods, when possible, helps our environment and the health of the workers who grow or harvest our food.

You, our government officials, can and should do everything possible to protect and educate all of us.

Please pass this bill.

Testimony for ENE/AGL 2/1/2011 2:55:00 PM SB712

Conference room: 225

Testifier position: oppose

Testifier will be present: No

Submitted by: Judy Zhu

Organization: Individual

Aloha,

I'm Raje Anand and I'm very happy that you are hearing Bill SB712. I have been a Hawaii resident for 24 years. I support the department of agriculture in giving the list of places where they are doing GMO Testing to the public.

Aloha Members of the Committee,

I'm writing you in strong support. My dad Kabba Anand has always told me to be on the safe side of every issue. That is why I'm writing you in support of this issue. Thank you Ramoda Anand.

Testimony for ENE/AGL 2/1/2011 2:55:00 PM SB712

Conference room: 225
Testifier position: oppose
Testifier will be present: No
Submitted by: Luly Unemori
Organization: Individual
Submitted on: 1/31/2011

Comments:

Please oppose this bill. It's additional and unnecessary government regulation on an industry that's already heavily regulated by the federal government, and I don't see how the public would benefit from such a bill. It will also make it easier for vandals to cause damage to farms.

Aloha Committee Members,

Thank you Kindly for submitting this SB712.

Though I'm apposed to any open testing to unknown results in cross contamination of near by farmers. I support this SB712 because I believe it is a step in the right direction by letting the public know.

Mahalo for taking the time to hear my testimony.

Melissa Ebeling