

**SB 713**

NEIL ABERCROMBIE  
Governor



RUSSELL S. KOKUBUN  
Chairperson, Board of Agriculture

JAMES J. NAKATANI  
Deputy to the Chairperson

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

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. 713  
RELATING TO THE LABELING OF GENETICALLY ENGINEERED CROPS.

Chairpersons Gabbard and Nishihara and Members of the Committees:

Thank you for this opportunity to provide testimony on Senate Bill No. 713, relating to the labeling of genetically engineered crops. The purpose of this Act is to require the labeling of any genetically engineered whole food that is sold in the State of Hawaii intended for human consumption. This bill amends Chapter 328-1, 328-6, Hawaii Revised Statutes by adding new sections, definitions, and language regarding genetically engineered crops, whole foods, and modern biotechnology. 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.

Agriculture, from its beginning to present, has suffered from pest and disease infestation causing enormous, unpredictable losses in food production. Biotechnology is a needed tool to combat crop threatening insects and diseases. Without the biotech development of the ringspot virus resistant papaya, all papaya, both conventional and



organic would be gone. Farmers are facing severe economic hardships. To add an additional burden, such as this measure would provide, is unreasonable. New and existing invasive species impact the profitability of all farmers. As such, government must continue to find a way to balance the risks and benefits of the use of biotechnology in the production of agricultural crops.

Second, the United States Department of Agriculture (USDA), Federal Food and Drug Administration (FDA), and Environmental Protection Agency (EPA) does extensive testing on GE plants before it deregulates GE plants. Once deregulated, the GE plant and its products are considered to be like any other plant occurring in the environment. Furthermore, FDA has determined that there is no significant difference between food utilizing biotechnology from conventional and organic counterparts.

We also note that state labeling laws may be pre-empted by federal labeling requirements or laws such as the Fair Packaging and Labeling Act.

Thank you for the opportunity to testify on this measure.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.  
ACTING DIRECTOR OF HEALTH

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to:  
File:

**Senate Committee on Energy and Environment**

**Senate Committee on Agriculture**

**SB 713 , RELATING TO THE LABELING OF GENETICALLY ENGINEERED  
CROPS**

**Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.  
Acting Director of Health**

**February 1, 2011  
2:55pm**

1 **Department's Position:** The Department understands the intent of this bill but has concerns regarding  
2 this proposal; therefore, respectfully opposes this bill.

3 **Fiscal Implications:** The Department opposes this measure since we do not have the resources and  
4 expertise required to implement this bill.

5 **Purpose and Justification:** This bill amends HRS Chapter 328 to require the labeling of any  
6 genetically engineered whole food that is intended for human consumption in the State of Hawaii.

7 We understand the intent of this measure and respect the concerns of Hawaii's consumers to  
8 have an informed choice. However, we are not in a position to enforce such legislation as the  
9 Department does not conduct work with recombinant DNA; and therefore, it does not possess the  
10 requisite scientific expertise and experience to test and determine whether a suspected food product has  
11 been genetically engineered. Incorporation of this measure into HRS Chapter 328 would create  
12 unenforceable situation and would not accomplish the intent of the legislation.

1           Currently, there is no conclusive scientific evidence of negative health effects associated with  
2 genetically engineered foods, or that the process of genetic modification is somehow inherently unsafe.  
3 The U.S. Food and Drug Administration (FDA) states it has no information that the use of  
4 biotechnology creates a class of food that is different in quality, safety or any other attribute from food  
5 developed using conventional breeding techniques; and therefore, does not support mandatory labeling  
6 of genetically engineered foods.

7           Therefore, based on current information, we feel there is not enough scientific evidence to  
8 legislate mandatory labeling of genetically engineered foods.

9           Whether labeling is important for economic, market, or trade reasons is an issue we defer to  
10 other departments.

11           Thank you for this opportunity to testify.



## 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 713

### RELATING TO THE LABELING OF GENETICALLY ENGINEERED CROPS

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 713 Relating to the Labeling of Genetically Engineered Crops.**

First of all, this will have a direct impact on Hawaii's papaya industry. It is the only food in Hawaii that meets the interesting definitions in this proposed legislation. All the processed foods and drinks containing or derived from genetically modified (GM) plants would continue unlabeled. The fact that papayas are genetically engineered in Hawaii was **LOUDLY AND PROUDLY** proclaimed in its introduction. Those consuming papaya (the yucky virus-infected fruit that was available at the time) in those days were happy to have decent tasting fruit once again and still are. There was no controversy over this until the activist arrived and created one; just like they did for irradiation, geothermal, space launch site, forestry, etc.

While under the guise of the right to know we have another veiled attempt at disrupting this technology. Statements are made, "What is wrong with labeling?" and "The polls show the public wants it!" Which needs to be followed with, "What is the purpose of labeling?" and "What else does the public want to know?" or "What does the public really need to know?"

This proposed bill states other countries require labeling, so Hawaii should also. Well, since there is some history and experience out there wouldn't it be prudent to see what has occurred. The last page of this testimony contains that information and there are other scientific studies one can review from Switzerland, South Africa and the US. The concluding remark is "We conclude that a major factor in governing the purchase of GM-products by Europeans is the decision of retailers to make them available to consumers. Thus, to the question "Do Europeans buy GM food?" the answer is "yes - when offered the opportunity."

Lets look at the right to know argument closer: stored grains are contaminated with insects, rodent hairs and excreta. The amounts are small but detectable. Shall we label all grain products 'may contain insects, rodents or excreta'? Plants are chemical factories: coffee and cocoa have over a 1,000 known and some unknown chemicals with some known toxins; other plants contain known pesticides. Shall we be requiring labeling for the ones we know have carcinogens, mutagens or oncogens and also indicate there are more unknown?

Over 70% of the raw foods in the marketplace are the result of many breeding techniques, including mutation breeding by radiation or carcinogenic techniques. An organized campaign at the start of any of these breeding techniques could have easily frightened consumers and given rise to demands that such foodstuffs be so labeled. These techniques have been used safely for decades, so it is a little late in the game to frighten people about them.

There is a vast array of information that a consumer has a purported right to know, with more being developed daily as the genetic sequencing of crops is occurring faster and faster. Should we suggest that a CD-ROM be provided with every produce item giving its complete history? Obviously this is absurd, but no more so than the demand that products be labeled GE or GE-free while ignoring all other aspects of their history, breeding, and constituency.

What privileges the claims of those who want GM labeling? There would clearly be a right to know if there were a health or other need to know. Like other products, the mechanisms already exists to ensure the labeling of those products. That is the proper role of government along with preventing fraud or misbranding.

The only reason that there is any public demand for GM labeling is a systematic campaign of misinformation that has raised a series of false fears about transgenic food, but maintained a deafening silence concerning all other forms of plant breeding.

Given that the anti-GE activists have lost every serious argument on the dangers of transgenic food, we should not let them frighten us into an action based on a false assertion of a right to know.

If a segment of the population wants something special, then they are at liberty to make those requests to the agricultural community who can provide their choice whatever it is, if they are willing to pay. This is a good opportunity for willing agricultural producers to link with these consumers, and certainly with the communication capabilities of today those connections can be made.

**HARC urges you to oppose the passage of SB 713 as unnecessary and costly to the papaya industry in severe economic times.**

*Attachment*

European Union report to review on labeling of genetically modified foods. Go to: <http://www.kcl.ac.uk/schools/biohealth/research/nutritional/consumerchoice/downloads.html>

## Chapter BRIEF SUMMARY

Following a decade of argument in Europe, the 2004 introduction by the EU of mandatory labelling for GM foods, the widespread importation into European countries of GM-animal feed, and the rapid development of GM agriculture and products in many parts of the world, it was **pertinent to inquire how European consumers respond when offered the opportunity of buying GM-products in the familiar environment of their normal food shops.**

In 10 EU countries, surveys were undertaken and retailers consulted to see which GM labelled- and GM-free-labelled-products were on sale in the different types of grocery stores (see Chapter 3). We then asked **what consumers actually did when they had the opportunity of buying GM- or GM-free products, not just what they said they would do.** In six of those countries (the Czech Republic, Estonia, Netherlands, Poland, Spain and the UK) GM labelled-products are currently on sale while in four (Germany, Greece Slovenia and Sweden), in which they are not, products labelled “GM-free” are widely available.

**It is clear from checking data of actual purchases against answers to questions about their preferences and intentions from the very same purchasers, that most shoppers do not actively avoid GM-labelled-products. Responses given by consumers when prompted by questionnaires about GM-foods are not a reliable guide to what they do when shopping in grocery stores (see Chapter 6).**

At the present time the public debate on GM issues in Europe generally is relatively subdued, although markedly more active in some countries (e.g. in the UK in the summer of 2008 and in France earlier that year). When asked about attitudes in surveys or focus group discussions, consumers in several countries raised ethical concerns, and pointed to environmental and health risks; they were **generally less aware of possible benefits than of potential hazards** (see Chapter 5).

In the participating countries, we looked at the pattern of media reporting (see Chapter 4), observed the political landscape, ran focus groups of consumers (not in the Czech Republic or Estonia) (see Chapter 5), asked retailers for information and recorded products on sale in grocery stores (see Chapter 3). **We then ran market surveys comparing individuals' purchasing intentions with their actual behaviour** (not in Estonia or Slovenia) (see Chapter 6) and sought responses to questionnaires directed to Europeans from Poland (see Chapter 12, pages 12-2 and 12-12) and the UK (see Chapter 16, pages 16-14 and 16-31) who visit North America where GM-products are widely used. **Our findings showed that Europeans buy GM foods when they are physically present on the shelves.**

We conclude that a major factor in governing the purchase of GM-products by Europeans is the decision of retailers to make them available to consumers. Thus, to the question “Do Europeans buy GM food?”, the answer is “yes – when offered the opportunity”.



Testimony for ENE/AGL 2/1/2011 2:55:00 PM SB713

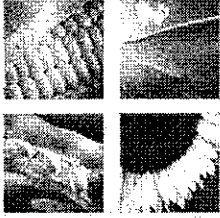
Conference room: 225

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*

Testimony By: Alicia Maluafiti

SB 713 - Relating to Genetically Engineered Crops

The Senate Committees Energy and Environment and Agriculture

Tuesday, February 1, 2011

Room 225, 2:55 p.m.

**HCIA 2010-2012  
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Mark Stoutemyer

Alan Takemoto

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Adolph Helm

**Executive Director**

Alicia Maluafiti

**Position: Strongly Oppose**

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

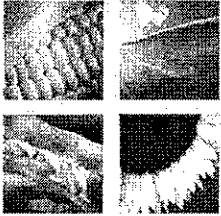
My name is Alicia Maluafiti, Executive Director of the Hawaii Crop Improvement Association, a nonprofit trade association representing the seed industry in Hawaii. HCIA strongly opposes Senate Bill 713.

**Small Papaya Farmers Would Suffer**

HCIA member companies do not sell any genetically engineered products in Hawaii, so although we may inevitably be the long term target, our small papaya farmers would suffer the greatest. The story of how the transgenic papaya saved the Hawaii papaya industry from the devastation caused by ringspot virus is world renown. It is the single most compelling reason for why agricultural biotechnology is so important. And what many opponents fail to recognize is that Hawaii is ONLY able to grow organic and conventional papaya because the growth of transgenic papaya planting slowed the spread of the disease.

**Labeling Should Follow Established Federal Guidelines**

State-based labeling requirements that differ from previously established, stringently enforced federal guidelines, provide no value for consumers and only serve to disparage foods improved by biotechnology. The U.S. Food & Drug Administration's labeling guidance requires that a food label must reveal all **material** facts about that food. They follow a stringent science-based approach in developing this guidance and have decided biotech foods do not inherently "present any different or greater safety concern than foods developed by [conventional methods]." FDA uses the principal of "substantial equivalence"—focusing on the final product, not the process used to develop a food product, to determine how it should be labeled. In addition, mandatory labeling requirements that vary from state-to-state would not only conflict with FDA guidelines, but would be costly and confusing to consumers.



# Hawaii Crop Improvement Association

*Growing the Future of Worldwide Agriculture in Hawaii*

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Board of Directors**

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Mark Stoutemyer  
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**Past President**  
Adolph Helm

**Executive Director**  
Alicia Maluafiti

## Consumers Already Have Choices

Today – consumers enjoy a variety of food choices and their choices of what to eat or not eat based on a variety of personal reasons. Those that conform to the regulations of the Jewish faith choose to eat Kosher foods because they avoid ingredients derived from non-kosher animals or from kosher animals that were not properly slaughtered. These foods are appropriately labeled – at the request of those eating those foods – “Kosher.” Vegans and vegetarians make nutritional choices for a variety of reasons that are void of meat and meat by-products. People who choose to NOT eat food created through biotechnology or that utilize biotech ingredients – which includes 70 percent of products sold in the supermarket – choose foods that are already appropriately labeled “organic” or “all natural” or “Non-GMO.” Forcing a labeling system on GE whole foods only in Hawaii is simply unnecessary and would have economic consequences for consumers as well as Hawaii farmers.

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

**gabbard1 - Carlton**

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**From:** Lauren Suzanne Zirbel [laurenzirbel@gmail.com]  
**Sent:** Monday, January 31, 2011 3:00 PM  
**To:** ENETestimony  
**Subject:** HFIA Testimony  
**Attachments:** SB 713 RELATING TO THE LABELING OF GENETICALLY ENGINEERED CROPS HFIA

DATE: February 1, 2011 TIME: 2:55 p.m PLACE: CR 225

TO: Committee on Energy and Environment

Senator Mike Gabbard, Chair; Senator J. Kalani English, Vice Chair

Committee on Agriculture

Senator Clarence K. Nishihara, Chair; Senator Gilbert Kahele, Vice Chair

FROM: Hawaii Food Industry Association - Lauren Zirbel, Government Relations

RE: SB 713 Relating to the Labeling of Genetically Engineered Crops

Chairs & Committee Members:

The Hawaii Food Industry Association opposes this bill.

The practical reality of enforcing this bill will be a nightmare. If the distributor/grower does not label the produce or advise the retailer that the product is GMO then the retailer is potentially liable for the mislabeling. A retailer cannot identify GMO product by visual or taste inspection.

This is a federal issue and should be dealt with at that level, with the onus for labeling resting with manufacturers and suppliers, not retailers. Thank you for the opportunity to provide testimony.

**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 713**

**RELATING TO THE LABELING OF GENETICALLY  
ENGINEERED CROPS**

**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 in Hilo on the Big Island. My office oversees the papaya commodity statewide numbering over 140 growers.

I am writing in opposition to SB 713, Relating to The Labeling of Genetically Engineered Crops. The intention to distribute information to the general public that is relevant to health, safety and nutrition is regulated by the Food and Drug Administration. This agency also states that there is no significant difference between foods produced using bio-technology in comparison to conventional means.

The Hawaii Papaya Industry remains instrumental in the de-regulation process as when it began with the genetically engineered 'RAINBOW' papaya variety that allowed export into the continental US mainland and Canada. Bio-technology techniques were no different from conventional breeding as a result proven safe for environment and human consumption as evidenced by no labeling requirement by both and backed by our USDA Environmental Agency (EPA) and Food and Drug Administration (FDA).

Consumers here in our State of Hawaii have been eating this delicious bio-tech papaya without any proven ill or side effects; while bio-technology began back in the 1920s with the first production of hybrid corn. Senate Bill 713 will un-duly tax our hard-working papaya growers who are already experiencing rising costs of production, processing and transportation .

I thank you very much for this opportunity to testify on SB 713.

**nishihara1 - Dale**

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**From:** Sen. Clarence Nishihara  
**Sent:** Tuesday, February 01, 2011 9:32 AM  
**To:** nishihara1 - Dale  
**Subject:** FW: sb712

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**From:** Delan Perry [<mailto:dperry@papayas.net>]  
**Sent:** Tuesday, February 01, 2011 9:31 AM  
**To:** Sen. Clarence Nishihara  
**Subject:** sb712

# Hawaii Papaya Industry Association

email: [dperry@papayas.net](mailto:dperry@papayas.net)

Re SB712

Senator Gabbard, Chair of ENE

Senator Nishihara, Chair of AGL

Committee members

**Strongly opposed**

Good Morning,

I am Vice President of the Hawaii Papaya Industry Association.

Thank you for this opportunity to testify regarding SB 713 .

The Hawaii Papaya Industry has always supported a strong regulatory system for Transgenic Agricultural Products. In the case our our industry's own cultivar, the process took many years and the oversight and approval of three Federal agencies. The Hawaii Department of Agriculture was a participant in the Federal process, was notified, and participated in the review of field design, inspection, and risk assessment.

It is very important to and new cultivar to prove it's safety to the environment, and health of consumers

It is also very important to maintain the integrity of all varieties as they all have a place in the gardens or fields of Hawaii. There are reasonable and clear ways to accomplish this, especially with papayas, whose pollen is often self pollinated, and does not travel very far.. Coexistence of different varieties is done on a continuous basis by papaya farmers, who often grow several varieties, sometimes under

strict cross pollination prevention controls. The Hawaii Department of Agriculture has a Variety Preservation Protocol it enforces for Papayas destined to the important Japan Market.

However this bill seeks to make certain information available to the public that can be expected to lead to unintended consequences such as vandalism, theft, and removal of varieties that have not completed their review and acceptance by Federal and State agencies.

Such disruptions are a far greater threat to Hawaii Agriculture and environment than any perceived need to know. The process is presently transparent enough so that the public knows what is being explored and tested.. Information on the specific sites would be an invitation to unknowledgeable persons to tamper with the environment without knowledge of the consequences, and putting both good and bad experimental varieties at risk of being spread.

Sincerely Delan Perry, Vice president.



**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](mailto:info@hfbf.org)  
[www.hfbf.org](http://www.hfbf.org)

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

**February 1, 2010**

**RELATING TO THE LABELING OF GENETICALLY ENGINEERED CROPS**  
**SB 713**

Chairs Gabbard and Nishihara, and Members of the Committee,

The Hawaii Farm Bureau Federation **strongly opposes** SB 713, “Relating to the Labeling of Genetically Engineered Crops.” This bill presupposes that genetically modified crops are inferior to conventional crops, to the extent that GMO crops must be distinguished by special labeling from conventional crops. This assumption contradicts the findings of the Federal government, based on many years of research by Federal and private scientists, which requires no special labeling for GMO crops. Simply requiring a conspicuous label would, by implication, create an undeserved stigma for these products, many of which (for example, papayas engineered by university of Hawaii researchers to resist the papaya ringspot virus) have been consumed by Hawaii’s residents for years without causing any problems.

SB 713 will also put Hawaii’s farmers at a disadvantage by imposing a labeling requirement on Hawaii-grown products that is not imposed upon imported products. Imported, genetically modified produce would not be subject to the labeling requirement of this bill, and such labeling probably could not be required without infringing on the right of the U.S. Congress to regulate interstate trade. In combination with the implied inferiority created by the labeling requirements, the effect will be to favor *imported* products – including genetically modified ones – over those grown by Hawaii farmers.

We also question the assumption in SB 713 that the labeling requirement “could be implemented at a minimal cost to both food producers and the government.” Most growers of genetically modified produce in Hawaii, like most growers of conventional and organic produce, are small farmers for whom any additional financial and labor cost is a burden. At a time when the State cannot afford a sufficient number of agricultural inspectors, an additional requirement to monitor and enforce new labeling requirements is liable to place a burden on State resources as well.

In summary, we feel that SB 713 is an ill-considered and unnecessary bill that will hurt Hawaii agriculture rather than helping it. We hope that Hawaii’s Legislature will instead consider measures that will support **all** of Hawaii’s much-needed agricultural producers.

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



# BIG ISLAND FARM BUREAU

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## **TESTIMONY on SB 713 RELATING TO LABELING GENETICALLY ENGINEERED CROPS**

P.O. Box 1630  
Kamuela, HI. 96743

Phone: 808-775-8015

Fax: 808-775-9115

E-mail: [bifb@hawaiiantel.net](mailto:bifb@hawaiiantel.net)

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

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

Aloha Chairpersons and Committee Members

We **STRONGLY OPPOSE** Bill SB 713 which requires labeling on genetically modified crops.

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 400+ papaya farmers on the Big Island will be directly affected by this bill; an industry that generates 14+ million dollars in revenue annually. Requiring Hawaii genetically modified crops to submit themselves to a higher standard than the Federal government regulations is unrealistic in today's competitive marketplace.

The Hawaii Papaya Industry has sold over 250 Million pounds of transgenic crops or genetically modified crops. Labeling laws such as Organic have been used to benefit the organic producer; to demand a higher price from the consumer. This Bill will NOT benefit the Hawaii Papaya Industry... The bill states it can be implemented at a minimal cost... There is NO such thing when changing any type of labeling law; much less requiring producers to label their product based on no benefits and adding additional burdens. Hawaii's agriculture Industry is struggling in these economic times; additional burdens are not advantageous to supporting Hawaii's agriculture producers.

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.

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.

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.

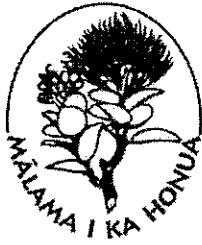
GMO opponents frequently cite the unknown as a reason to stop the technology. In reality, GM technology is one of the most regulated, well tested and highly precise forms of breeding. The difference is like using a surgical knife rather than a chain saw. GM technology strictly limits its plant modifications 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.

**We respectfully and STRONGLY OPOSE SB713; 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](mailto: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 STRONG SUPPORT OF SB 713

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

The Sierra Club, Hawaii Chapter, supports SB 713, relating to the labeling of genetically engineered crops.

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.

The public is entitled to know more about these potential risks. The public is entitled to be able to make informed decisions about what products they purchase and eat. The European Union understands this concept and established labeling laws in 1997. They continue to have plenty of food to eat and get along just fine. So will Hawaii.

Mahalo for the opportunity to testify.



February 1, 2011

Senator Mike Gabbard, Chair  
Senator J. Kalani English, Vice Chair  
Committee on Energy and Environment

Senator Clarence K. Nishihara, Chair  
Senator Gilbert Kahele, Vice Chair  
Committee on Agriculture

**RE: SB 713 – OPPOSE**

Dear Chairman Gabbard, Vice Chairman English, Chairman Nishihara, Vice Chairman Kahele and Members of the Committee:

The Grocery Manufacturers Association<sup>[1]</sup> (GMA) and its more than three hundred members respectfully oppose SB 713, which would mandate labeling of whole foods that are genetically modified, because it does nothing to further food safety and does everything to discourage investment in science and technology that could bring about more efficient operations and better, more nutritious foods.

The provisions of SB 713 that would require the mandatory labeling of whole food products containing genetically engineered ingredients are misguided and unnecessary.

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[1] Based in Washington, D.C., the Grocery Manufacturers Association is the voice of more than 300 leading food, beverage and consumer product companies that sustain and enhance the quality of life for hundreds of millions of people in the United States and around the globe.

Founded in 1908, GMA is an active, vocal advocate for its member companies and a trusted source of information about the industry and the products consumers rely on and enjoy every day. The association and its member companies are committed to meeting the needs of consumers through product innovation, responsible business practices and effective public policy solutions developed through a genuine partnership with policymakers and other stakeholders.

In keeping with its founding principles, GMA helps its members produce safe products through a strong and ongoing commitment to scientific research, testing and evaluation and to providing consumers with the products, tools and information they need to achieve a healthy diet and an active lifestyle.

The food, beverage and consumer packaged goods industry in the United States generates sales of \$2.1 trillion annually, employs 14 million workers and contributes \$1 trillion in added value to the economy every year.

**GROCERY MANUFACTURERS ASSOCIATION**

1350 I Street, NW :: Suite 300 :: Washington, DC 20005 :: ph 202-639-5900 :: fx 202-639-5932 ::

[www.gmaonline.org](http://www.gmaonline.org)

Senator Mike Gabbard, Chair  
Senator J. Kalani English, Vice Chair  
Committee on Energy and Environment  
Senator Clarence K. Nishihara, Chair  
Senator Gilbert Kahele, Vice Chair  
Committee on Agriculture  
February 1, 2011  
Page 2

The United States Food and Drug Administration (FDA) already regulates the introduction of and labeling of biotech foods. Producers are legally responsible to the FDA for the safety and wholesomeness of any food product placed on the market and all foods, regardless of whether they are produced using biotechnology or not, are regulated for their individual safety, toxicity and the presence of allergens.

Furthermore, after decades of scientific review, the FDA determined that genetically enhanced foods are equivalent to foods developed through crossbreeding, and other traditional methods. Thus, compulsory state labeling provides no additional significant or useful information to consumers. In fact, research shows that mandatory labeling of biotechnology products has the negative impact of misleading consumers to believe foods derived from biotechnology are harmful when the best current scientific evidence indicates, they are not.

GMA supports a consumer's right to obtain important information about the health and safety of food products and we are committed to informing consumers about modern biotechnology. GMA member companies have made information available through consumer 1-800 numbers, supermarket brochures and were instrumental in developing the Alliance for Better Foods which has a website where consumers can obtain comprehensive information about food biotechnology.

Simply put, requiring labeling of food derived through biotechnology goes beyond educating the consumer about food safety -- it is designed to require "warning labels" that focus upon the process by which a food was produced. Requiring warning labels for these products will create a false impression that there are dangers associated with consumption of such products or that their nutritional value has been diminished. Furthermore, mandatory labels for these products would present a tremendous and costly enforcement problem to the state and result in huge costs to food processors, retailers and ultimately, consumers, while producing absolutely no benefit.

For these reasons, GMA respectfully opposes SB 713.

Sincerely,

John Hewitt  
Western Region Director  
Grocery Manufacturers Association



Maui County Farm Bureau

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

February 1, 2011

COMMITTEE ON ENERGY AND ENVIRONMENT  
and  
COMMITTEE ON AGRICULTURE

Testimony

**SB713 RELATING TO THE LABELING OF GENETICALLY ENGINEERED CROPS**

Chairs Gabbard and Nishihara and Members of the Committees,

Maui County Farm Bureau on behalf of our commercial farm and ranch families and organizations on the island **opposes SB713, requiring the labeling of genetically engineered crops.**

MCFB is in agreement with the position of the Hawaii Farm Bureau Federation **in opposition** to this measure. We believe 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 environment. Proponents of labeling do so implying that GE is unsafe. The decade of GE papaya in Hawaii has demonstrated the product's safety. Furthermore, Hawaii would not even have a local supply of this fruit if not for GE technology. We believe that the proposed labeling is not in the interest of the consumer. Mandatory label components should be reserved for information about safety or nutritional information. Other items on the label are for marketing purposes and should be the choice of the seller. Those who believe that their product is better than another have the freedom to label their products accordingly.

**MCFB respectfully requests this measure be held.** 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 713 and the labeling of gmo fruits and vegetables sold in Hawai`i.

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.

We should know the true nature of our food. That is the purpose of food labels. Our food labeling laws are very stringent when it comes to a citizen creating a food product for retail. Why should a gmo food ingredient be exempt from being denoted on the ingredient list?

A GMO plant DNA produces unique proteins. While some proteins produced by gmo corn (for example) may be the same as traditionally produced corn, many of the proteins are different because they also contain code that produces internal pesticide production, or they resist herbicide.

The GMO plants are unique enough to be patented, so they must be different.

This unique type of food was allowed to be unlabelled because they were deemed the “substantial equivalence” of their traditional counterpart. So this law allowed biotech to food to quietly come into our American food supply with little knowledge by consumers.

The United States has done a lot to educate consumers to read labels and balance their nutrition. Consumers have been given the right to know what is in their food, but this loophole undermines full honest disclosure.

Supporting healthy food and good eating habits is a huge value to our quality of life and a welcome choice for our community and our visitor industry.

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



Poamoho Organic Produce  
PO Box 728  
Waialua HI 96791  
808-637-4555  
[info@poamoho-organic.com](mailto:info@poamoho-organic.com)

January 27, 2010

To: Committee on Energy and Environment  
Committee on Agriculture  
Re: Joint Hearings on February 1<sup>st</sup>, 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 713

RELATING TO THE LABELING OF GENETICALLY  
ENGINEERED CROPS

PRESENTED TO THE TWENTY-SIXTH LEGISLATURE  
STATE OF HAWAII

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 kamaaiana-family owned land 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 713, Relating to the Labeling of Genetically Engineered Crops. Labeling requirements, as regulated by the Food and Drug Administration (FDA) , is intended to communicate information that is relevant to health, safety, and nutrition. FDA state that there is no significant difference between foods produced using biotechnology and their conventional counterparts.

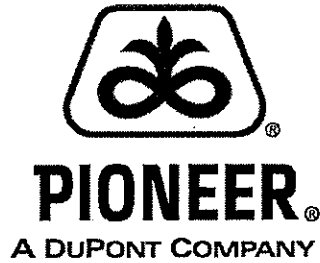


The Hawaii Papaya Industry Association (HPIA), coordinated the deregulation of the genetically engineered papaya “RAINBOW” in CONUS and Canada. Both countries do not require labeling of this safe papaya as it was developed no differently than the conventional breeding techniques. Without the biotechnology of the Rainbow papaya, there would be no papaya industry in the state of Hawaii today.

The United States Department of Agriculture (USDA), Environmental Protection Agency (EPA), and Food and Drug Administration (FDA) have already proven that the biotechnology “Rainbow” papaya is safe for the environment and human consumption. We have been eating this delicious biotech papaya for over 10 years without any ill or side effects.

This Bill 713 seems to be targeting the papaya industry here in Hawaii. Our papaya growers are already struggling with high cost of production, processing, and transportation cost. Labeling requirements that are not necessary only increases the burden for these hard working growers.

Thank you very much for the opportunity to provide testimony on SB 713.



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

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SB 713 - Relating to the Labeling of Genetically Engineered Crops  
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 713

Pioneer Hi-Bred International, Inc. is a seed company with operations in four locations in Hawaii. We carry our research and development at our sites in Hawaii, 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 strongly believes in the importance of research and innovation to develop hybrid corn seed and plant varieties that bring benefit to agriculture producers. Our work is science-based and the introduction of new genetically engineered corn hybrids and crop varieties follows years of evaluation and testing under a robust regulatory system.

SB 713 would require a label that says "Genetically Engineered" to be placed on whole foods that have been through the regulatory system and approved for commercial sale, only when they are sold in Hawaii. Since the transgenic papaya is currently the only produce that would be targeted by this law, its passage would place a burden on farmers that grow genetically engineered papaya and have significant economic consequences for Hawaii's papaya farmers. This type of label would confuse consumers and scare them away from purchasing the fruit. As a company that carries out science-based research and development, we know the genetically engineered papaya has been through extensive evaluation for food safety and it is as safe, or safer than papaya developed by conventional plant breeding and is not significantly different from conventionally bred papaya.

According to the FDA, labeling of whole foods and food products focuses on the final product, not the process used to develop a food product. Adding an additional labeling step only for genetically engineered papaya produced by Hawaii's papaya growers, which is equivalent to conventional papaya, places an additional unnecessary burden on our local farmers.

Thank you for the opportunity to provide testimony in opposition to this bill at this Senate hearing.

**COMMITTEE ON ENERGY AND ENVIRONMENT & COMMITTEE ON AGRICULTURE**

**DATE:** Tuesday, February 1<sup>st</sup>, 2011.  
**TIME:** 2:55 p.m.  
**PLACE:** Conference Room 225

**RE: RELATING TO THE LABELING OF GENETICALLY ENGINEERED CROPS.**

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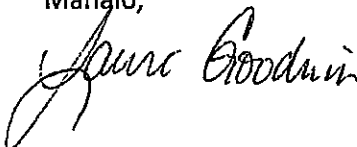
Chair Nishihara, Chair Gabbard and Members of the Committees,

**Syngenta Hawaii opposes SB 713.** SB 713 would require a label that says "Genetically Engineered" to be placed on whole foods sold in Hawaii. If passed, this bill would have negative economic consequences to Hawaii's papaya farmers. Farming in Hawaii is costly and our papaya farmers are already struggling. Since they would be the first commodity to comply with the unnecessary labeling required if this bill passed, it would be an additional economic burden. It could affect their long term viability and could result in the loss of many family papaya farming operations.

Labeling is intended to communicate information relevant to health, safety and nutrition. Since there is no significant difference between genetically engineered foods and their conventional counterparts there is no need to further label genetically engineered whole foods.

Thank you for the opportunity to submit testimony.

Mahalo,



Hawaii State Affairs Manager  
Syngenta Hawaii LLC  
7050 Kaunuaui Highway | Kekaha, HI 96752  
PO Box 879 | Waimea, HI 96796  
office: 808-337-1408 Ext. 120 | mobile: 808-652-0768  
[laurie.goodwin@syngenta.com](mailto:laurie.goodwin@syngenta.com)

**gabbard1 - Carlton**

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**From:** KOEHLER, PAUL H [AG/2563] [paul.h.koehler@monsanto.com]  
**Sent:** Monday, January 31, 2011 3:40 PM  
**To:** ENETestimony  
**Subject:** Testimony before ENE/AGR hearing - Feb 1st - SB713

Aloha,

Please below my find testimony for SB713 hearing scheduled for Feb. 1<sup>st</sup> at 2:55pm.

MONSANTO CO.  
94-520 KUNIA ROAD  
KUNIA, HAWAII 96759

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

FEBRUARY 1, 2011  
2:55 PM

TESTIMONY ON SB 713  
RELATING TO THE LABELING OF GENETICALLY ENGINEERED CROPS

Aloha Chair Gabbard, Chair Nishihara and committee members:

My name is Paul Koehler, Director of Hawaii Community Affairs for Monsanto Hawaii. We **strongly oppose** SB 713 which prohibits the sale or distribution of any genetically engineered whole food intended for human consumption in the State that does not have a label.

The requirement to label a genetically modified whole food makes a false or negative assumption that a genetically engineered whole food or crop is somehow inferior to conventional or organic crops. Federal research and regulatory agencies have conducted years of studies that show no health or safety concerns that would call for the labeling of genetically modified crops. Quite the contrary, this research has found crops currently available from biotechnology to be as safe as those produced via other more conventional methods.

Secondly, SB 713 does not impose the same requirements to imported products coming into Hawaii. Hawaii's farming community, specifically the papaya farmers, will be further placed at a competitive disadvantage to imported products. The papaya industry relies on this technology to fight against the papaya ringspot virus. Approximately 85% of our food products are already imported into the State. It will be practically impossible for State and Federal regulators to inspect and test all products being sold or distributed in the State. In addition to causing an economic hardship on our local farmers, wholesalers, and retailers, the State will also need to fund and train additional inspectors and specialists to enforce this new law.

Lastly, labeling within our food industry is constantly changing on the federal level as the FDA considers uniform labeling requirements. We ask you to defer on this Bill as more clarity from the Federal government and food industry provides more guidance on this complex labeling issue. Mahalo for the opportunity to provide this testimony.

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Testimony for ENE/AGL 2/1/2011 2:55:00 PM SB713

Conference room: 225

Testifier position: oppose

Testifier will be present: No

Submitted by: Kenneth Kamiya

Organization: Individual

Submitted on: 1/31/2011

Comments:

My name is Kenneth Kamiya, President of Kamiya Farm, Inc., and I am a papaya farmer on the north shore of Oahu. I currently have 15 acres in production and we grow GMO papayas exclusively. Let me be clear, without GMO papaya I would not be growing a single papaya tree due to PRSV, and not to mention depriving thousands of my loyal customers of their daily papaya, Further, farming is tough as it is and adding another regulatory requirement just makes it tougher without any added benefit. If there are that many people clamoring to avoid GMO let them buy "organic." Don't place unnecessary burden on me and my fellow papaya farmers. Please deny this bill

RE: SB 713

DATE: Tuesday, February 1, 2011

TIME: 2:55 p.m.

I am adamantly opposed to GE crops. My opposition, however, is hard to back up in my day to day life because it's so unclear at the grocery store exactly what's been genetically modified. I want the opportunity to make a decision about the food I eat and serve to my family. I deserve to know exactly what kind of food I'm buying, so that I can decide what's right for my family.

While this bill addresses only whole foods, it's a start. Perhaps if we can mark those foods with a GMO label, it won't be long before our more refined staples like bread, tortillas, and blended juices will also be labeled. In America, we should have the freedom to decide for ourselves whether or not we choose to risk our health to an unproven method like genetic modification.

I urge you to support the passage of this bill, for the future of our children.

**Kris Bordessa**



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

Web testimony for SB 713

Testimony for ENE/AGL 2/1/2011 2:55:00 PM SB713

Conference room: 225  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Jody George  
Organization: Individual  
Submitted on: 1/28/2011

Comments:

The crux of this bill seems to be consumer choice to choose Non GE Food. As it stands that choice already exists. Consumers have the choice to avoid genetically improved food by choosing Organic. This bill would do nothing but foster unwarranted fear of a technology that has been proven safe by decades of testing.

This bill would also hurt local family papaya farmers as that is the only GE produce commercially available.

We need to embrace technologies that will improve food security and self sufficiency.

Testimony for ENE/AGL 2/1/2011 2:55:00 PM SB713

Conference room: 225  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Judy Zhu  
Organization: Individual  
Submitted on: 1/28/2011

Testimony for ENE/AGL 2/1/2011 2:55:00 PM SB713

Conference room: 225  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Charles Zahn  
Organization: Individual  
Address: 92-970 Puanihi St Kapolei, HI  
Phone: 282-5784  
E-mail: [czahn@hawaii.rr.com](mailto:czahn@hawaii.rr.com)  
Submitted on: 1/29/2011

Comments:

Since the transgenic papaya is currently the only produce that would be targeted by this law, its passage would have catastrophic economic consequences on Hawaii's papaya farmers since the label is intended to scare people from purchasing the fruit.

I oppose labeling because:

1. Labeling requirements, as regulated by the Food and Drug Administration, is intended to communicate information that is relevant to health, safety and nutrition.
2. In the scientific judgement of the FDA, there is no significant difference between foods produced using biotechnology and their conventional counterparts.
3. Further, the FDA's scientific evaluation of biotech foods continues to show that these foods are as safe as their conventional counterparts.
4. With over one trillion servings of biotech foods consumed by the public, there has never been a documented incident of any harm to the health of consumers (unlike the recent ecoli and salmonella outbreaks involving non-GE produce).
5. According to the FDA, labeling focuses on the final product, not the process used to develop a food product.
6. Labeling from state-to-state would not only conflict with FDA guidelines, but would be costly and confusing to consumers and only serve to disparage foods improved by biotechnology.
7. People opposed to genetically engineered foods have the ability to choose produce that is already labelled "organic" - a marketing tool used by organic growers to differentiate their product and thereby enabling them to command a premium price over conventional and genetically engineered produce.
8. Our papaya farmers are already struggling and have suffered recent attacks against their farms - for whatever reason. Since they would be the first commodity to comply with unnecessary labeling required if this bill passed, it would be an economic burden to their long term viability and likely result in the loss of many small family papaya farming operations.

# TESTIMONY ON SB 713

## Senate Committee on Energy and Environment And Senate Committee on Agriculture

<http://www.capitol.hawaii.gov/emailtestimony/Default.aspx>

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

**BILL NO:** SB 713 – Labeling of Genetically Engineered Foods  
**TITLE:** Relating to Labeling of Genetically Engineered Crops

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

**HEARING LOCATION:** Conference Room 225

**TO: Senators Mike Gabbard and Clarence Nishihara**

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 Hawaii crops and fight hunger in the world.

SB 713 seems to be based on citizen polls and not on factual scientific evidence. The Committee, I'm sure, will hear factual evidence on the safety of biotech foods and the continual examination by the FDA, the USDA, and the EPA, and Hawaii's DOA prior to being approved.

Biased polls and surveys are not indicative of the need for additional restrictive and costly legislation in the market place. Knowledgeable legislators must consider factual evidence of harm, and that should be the primary justification for additional regulatory legislation. There are no factual studies of the evidence showing a need for this legislation.

The poorly defined "Genetically engineered food crop" is false due to the fact that all plants have the ability to change their genetic material naturally by multiplication and natural recombination. It can and does occur in nature, it just takes longer than doing it in a lab like the biotech industry.

Keying the legislation on "Genetically engineered whole food" it is very indicative that the environmental activists within the organic food industry are the ones behind this "surveyed" legislation. Thus, forcing the biotech papaya farmers into having to label their product at additional cost. And plays into the anti-biotech propaganda campaign. They can then easily continue their anti-GMO scare tactics utilizing this poorly written, and unneeded legislation.

I strongly urge the committee **to not pass SB-713**, since this bill only confuses the public on real food safety issues and would force additional costs on the farmer and consumer for no justifiable reason.

Don Gerbig  
6 Tulip Place  
Lahaina, HI 96761-8322

Web testimony for SB 713

Testimony for ENE/AGL 2/1/2011 2:55:00 PM SB713

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

Comments:

Labeling requirements, as regulated by the Food and Drug Administration, is intended to communicate information that is relevant to health, safety and nutrition.

In the scientific judgement of the FDA, there is no significant difference between foods produced using biotechnology and their conventional counterparts. Further, the FDA's scientific evaluation of biotech foods continues to show that these foods are as safe as their conventional counterparts.

With over one trillion servings of biotech foods consumed by the public, there has never been a documented incident of any harm to the health of consumers (unlike the recent ecoli and salmonella outbreaks involving non-GE produce). According to the FDA, labeling focuses on the final product, not the process used to develop a food product.

Labeling from state-to-state would not only conflict with FDA guidelines, but would be costly and confusing to consumers and only serve to disparage foods improved by biotechnology.

People opposed to genetically engineered foods have the ability to choose produce that is already labelled "organic" - a marketing tool used by organic growers to differentiate their product and thereby enabling them to command a premium price over conventional and genetically engineered produce.

Our papaya farmers are already struggling and have suffered recent attacks against their farms - for whatever reason. Since they would be the first commodity to comply with unnecessary labeling required if this bill passed, it would be an economic burden to their long term viability and likely result in the loss of many small family papaya farming operations.

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 SB713

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

Comments:

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.

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.

Aloha,

I'm very pleased and excited for the support of this Bill SB713. . I have been GMO opponent all my life and am very grateful for those whom introduced it. Thank you so much. Therefore I urge passage. Mahalo Ramoda Anand

Aloha,

I'm very pleased and excited for the support of this Bill SB713. . I have been GMO opponent most of my life and am very grateful for those whom introduced it. Thank you so much. Therefore I urge passage. Mahalo Raje Anand



720 Mahi'ai Street, Apt. E  
Honolulu, Hawai'i 96826-5635  
January 31, 2011

Senator Mike Gabbard, Chair  
Senate Committee on Energy and Environment

Senator Clarence K. Nishihara, Chair  
Senate Committee on Agriculture  
Hawai'i State Legislature

Dear Senators,

Please accept my testimony **in support of SB 713**, RELATING TO THE LABELING OF GENETICALLY ENGINEERED CROPS. **Labeling simply respects our right to make informed decisions.**

I urge you to support this bill for the following reasons:

1. This bill respects consumers' rights to know what is in the food we may decide to buy. It should be our free choice to decide whether to spend our hard-earned money on genetically engineered food.
2. More and more people want to eat natural, organic food. According to the USDA, organic food must be free of genetically engineered crops:  
  
"The United States Department of Agriculture (USDA) now has national standards for the use of the word "organic." Unlike just a few years ago, consumers buying organic products, whether produced in the United States or imported, can be assured that the foods are produced **without antibiotics, hormones, pesticides, irradiation or bioengineering.**"  
(Source: <http://usda-fda.com/articles/organic.htm>)
3. Some people have had allergic reactions to genetically engineered food because of the genes that have been inserted into the food. How awful to bite into a tomato and then develop fish-allergy symptoms because the tomato has been genetically modified with fish genes.

Our right to know is being violated without this bill. Our right to choose is being violated.

I support Food Democracy, and I urge you and your committees to do the same.

I strongly urge your committees to vote in favor of these bills.

Mahalo!

Respectfully submitted,

Eileen Cain  
Honolulu

Testimony for ENE/AGL 2/1/2011 2:55:00 PM SB713

Conference room: 225

Testifier position: oppose

Testifier will be present: No

Submitted by: Luly Unemori

Organization: Individual

Submitted on: 1/31/2011

Comments:

Please do not pass this bill. There's no evidence that genetically engineered foods cause health problems, so there's no justification for a bill like this. It would only make it more costly for farmers, which in turn will make our food costs go up.

Aloha,

Thank you Kindly for submitting this SB713.

Though Im strongly opposed to the production of GMO because of lack of scientific proof and testing methods.

Simply because I lost my health to overly processed foods here in the us and stopped all overly processed foods and have reversed my illness. I'm very much in support of this SB713 as I believe the public has the right to choose healthy foods. Thank you so kindly for introducing this bill.

Mahalo Melissa Ebeling