

**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-SEVENTH LEGISLATURE, 2013**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 174, H.D. 1, RELATING TO FOOD LABELING.

**BEFORE THE:**

HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

**DATE:** Wednesday, February 13, 2013                      **TIME:** 2:30 p.m.

**LOCATION:** State Capitol, Room 325

**TESTIFIER(S):** David M. Louie, Attorney General, or  
Wade H. Hargrove, Deputy Attorney General

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Chair McKelvey and Members of the Committee:

The Attorney General has several concerns about this bill.

This measure seeks to create state-specific labeling for imported genetically engineered produce. It is, however, subject to challenge and may be found unconstitutional for any one of three reasons. First, pursuant to the Supremacy Clause of the United States Constitution, this measure may be found expressly preempted by existing federal labeling laws. Article VI, clause 2, guarantees that the laws of the United States are supreme and preempt those of the individual states. Second, the Commerce Clause authorizes the federal government to “occupy a field” of regulation such that any state law in this area would be implicitly or field preempted. Article I, section 8, clause 3 of the United States Constitution, authorizes the federal government to regulate commerce to the exclusion of any state interference. Where the federal government has legislated in an area over which it has authority, any local efforts to do so, as is the case here, are likely to fail challenges to their constitutionality, particularly where the state seeks to exclude its own in-state products from the standard it seeks to apply to all others. Last, state laws requiring specific information on food labels have been found to implicate the manufacturers’ First Amendment right to free (commercial) speech.

The State’s effort to require labeling that is in conflict with federal labeling laws, is highly problematic. Congress, in creating the Federal Food Drug and Cosmetic Act (“FDCA”), empowered the Food and Drug Administration (“FDA”) with the authority to create criteria for the labeling of food, which includes fresh fruits and produce. Section 403A of the FDCA expressly preempts inconsistent state labeling laws and provides that “[n]o State or political

subdivision of a State may directly or indirectly establish under any authority or continue in effect as to any food in interstate commerce:

(2) [a]ny requirement for the labeling of food of the type required by [the sections related to misbranded articles] that is not identical to the requirement of such section.”

Section 403(a) of the FDCA prohibits the misbranding of food by utilizing a misleading label. Pursuant to its authority, the FDA has promulgated rules to implement section 403(a) and has created express labeling requirements. The FDA has also provided guidance regarding the labeling of GMO (genetically modified organisms, including produce) that strongly suggests that any state legislation requiring specific GMO claims will be considered “misbranding” and contrary to federal law. According to the guidance available on the FDA’s website (current and most recently updated on May 22, 2009) the FDA’s current position remains as follows:

The agency is still not aware of any data or other information that would form a basis for concluding that the fact that a food or its ingredients was produced using bioengineering is a material fact that must be disclosed under sections 403(a) and 201(n) of the act. FDA is therefore reaffirming its decision to not require special labeling of all bioengineered foods.

In other words, the FDA has considered the matter, has no concerns regarding the risk to public health such that a failure to “warn” the consumer of the presence of genetically modified material would constitute a misbranded food, and thus does not require GMO-specific labeling. Therefore, any state requirement to do so would violate the comprehensive federal scheme of food labeling laws.

Also of great concern is the possibility that this measure will be challenged on the basis that it violates the Commerce Clause and is implicitly or “field” preempted. This bill’s effort to create Hawaii-specific labeling requirements (different than the federal requirements) will likely be considered an impermissible impediment to interstate commerce. Congress in creating the FDCA and empowering the FDA to implement a comprehensive scheme of food labeling laws, could easily be said to have occupied the field of food labeling altogether. But at least where, as is the case here, the FDA has expressly considered an area of regulation (GMO food labeling) and has declined to make it a requirement, the states are said to have been implicitly preempted from doing so. The Supreme Court has illustrated this principle very clearly in Gade v. National Solid Wastes Mgmt. Ass’:

We hold that nonapproved state regulation of occupational safety and health issues for which a federal standard is in effect is impliedly preempted as in conflict with the full purposes and objectives of the OSH Act.... The design of the statute persuades us that Congress intended to subject employers and employees to only one set of regulations, be it federal or state, and that the only way a State may regulate an OSHA-regulated occupational safety and health issue is pursuant to an approved state plan that displaces the federal standards. 505 U.S. 88, 98-99 (1992) (citation omitted).

A court, applying the same principle of field preemption to the question of whether the federal government has occupied the field of GMO food labeling or food labeling more broadly, would likely conclude that the FDA has developed a federal standard for GMO food labeling (by not requiring any) that no state can interfere with in the same way that the Occupational Safety and Health Administration has set a federal standard for worker safety.

Additionally, the exclusion for in-state produce in section 1 of the bill, provides a separate basis to conclude that this measure is impermissibly discriminatory and burdens interstate commerce. No rationale is provided to explain why “Hawaii-grown produce” and food “prepared or served in restaurants” would be exempted from the labeling requirement. If there is a legitimate concern about the fitness of GMO food for human consumption, or a legitimate need to inform a potential consumer of GMO food, then such food should arguably be treated the same regardless of the country or state of origin or the manner in which it is presented to the potential consumer. The disparate treatment of in-state produce, in particular, is likely to be treated as a violation of the Commerce Clause, irrespective of whether or not a court finds that the measure is either expressly or field preempted.

The Commerce Clause, in its most limited sense, empowers the federal government to regulate commerce among the states. The United States Supreme Court has, however, expanded our understanding of its purpose to include a qualified limitation on a state’s authority to interfere with or burden interstate commerce. The seminal case defining the scope of the Commerce Clause is Baldwin v. G.A.F. Seelig Inc., 294 U.S. 511 (1935), in which the Supreme Court created a balancing test for state laws that discriminate against out of state participants in interstate commerce. This test requires a state law to be struck down if it serves no legitimate state interest or, even if it does, there is a less burdensome alternative. In Baldwin, the court struck down a New York State law prohibiting the sale of milk purchased out-of-state. In Hunt

v. Washington State Apples Adver. Comm'n, 432 U.S. 333 (1977), a North Carolina statute that required all apple shipments sold in-state to be labeled with only the United States Department of Agriculture grade also failed this test and was declared unconstitutional. In Hunt, Washington State's apple distributors had to go through the trouble and expense of removing their own state's much more informative grade labeling before shipping apples to North Carolina. The court said "[t]he burden falls on the State to justify [discrimination] both in terms of the local benefits flowing from the statute and the unavailability of nondiscriminatory alternatives adequate to preserve the local interests at stake." Id. at 353.

Where a statute appears to have a substantial state interest but the "state artlessly discloses an avowed purpose to discriminate against interstate goods," the court is "confronted with the task of effecting an accommodation of the competing national and local interests." Hunt at 350 (quoting Dean Milk Co. v. Madison, 340 U.S. 349, 354 (1951)). In any event, as the decision in Hunt makes very clear, it is the discriminatory effect, not the purpose alone, that subjects a statute to constitutional scrutiny.

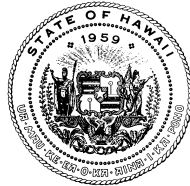
Finally, it should be noted that a federal appellate court has struck down a state food labeling requirement on First Amendment grounds. In International Dairy Foods Ass'n v. Amestoy, 92 F.3d 67 (2d Cir. 1996), the Second Circuit Court of Appeals upheld a challenge to Vermont's requirement that dairy farmers label milk produced from cows treated with growth hormones. After dairy farmers argued that the state should be enjoined from violating their right to free speech and also challenged the state law on the basis of the Commerce Clause, the court struck down the law on First Amendment grounds without even addressing the implications of the Commerce Clause. Id. at 70. The court applied the 4-prong test for state restriction of commercial free speech developed in Central Hudson Gas and Electric Corp. v. Public Serv. Comm., 447 U.S. 557 (1980), whereby one must determine:

(1) whether the expression concerns lawful activity and is not misleading; (2) whether the government's interest is substantial; (3) whether the labeling law directly serves the asserted interest; and (4) whether the labeling law is no more extensive than necessary. International Dairy at 72 (citation omitted).

The court asserted: "The State of Vermont bears the burden of justifying its labeling law ... [a]s the Supreme Court has made clear, [t]his burden is not satisfied by mere speculation or conjecture; rather, a governmental body seeking to sustain a restriction on commercial speech

must demonstrate that the harms it recites are real and that its restriction will in fact alleviate them to a material degree.” Id. at 72-73 (quoting Edenfield v. Fane, 507 U.S. 761, 770–71 (1993)). Particularly relevant to a review of this bill, the court concluded that, “Vermont has failed to establish the second prong of the Central Hudson test, namely that its interest is substantial. International Dairy at 73. This decision demonstrates that a court, in its review of a state labeling requirement that otherwise appears to serve a legitimate state interest, will nevertheless apply fairly rigorous scrutiny and demand that the reason given be valid and demonstrable. This measure arguably fails this test because the FDA has made its own inquiry and determined that there is no scientific (health and safety) or consumer (misleading or misbranded product) foundation to require a GMO label on food. Consequently, this measure may be preempted by federal law or be found an impermissible restriction on commercial free speech.

We respectfully ask the Committee to hold this bill.



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

In reply, please refer to:  
File:

**House Committee on Consumer Protection & Commerce**

**HB 174, HD1, RELATING TO FOOD**

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

**February 13, 2013  
2:30 p.m.**

1 **Department's Position:** The department opposes this bill.

2 **Fiscal Implications:** The department has not included or funded this initiative in the Executive  
3 Biennium Budget and therefore may adversely affect other spending priorities.

4 **Purpose and Justification:** The Department does not object in principle to a labeling policy to enhance  
5 public awareness of the absence of genetically engineered food or food ingredients in Hawaii markets.  
6 However, the Department is not in a position to enforce such legislation as we do not conduct work in  
7 recombinant DNA; and therefore, do not possess the requisite scientific expertise and experience to test  
8 and determine whether a suspected food or food product has been genetically engineered. Currently,  
9 there is no conclusive scientific evidence of negative health effects associated with the consumption of  
10 genetically engineered food or food products. As such we do not believe such labeling is a health issue  
11 and thus do not support any such program being assigned to the Department to administer.

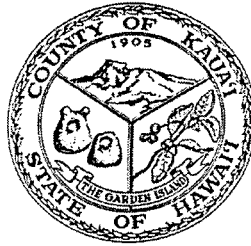
12 The Department would like to focus its limited resources in areas such as controlling the  
13 incidence of food borne illness risk factors in the food establishments through proper inspection

1 frequencies that have been proven to produce consistent compliance with food safety regulations which  
2 are directly related to outbreaks of food borne illness.

3 Thank you for the opportunity to testify.

**COUNTY COUNCIL**

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**Council Services Division**  
4396 Rice Street, Suite 209  
Līhu'e, Kaua'i, Hawai'i 96766

February 12, 2013

**TESTIMONY OF GARY L. HOOSER  
COUNCILMEMBER, KAUAI COUNTY COUNCIL**

ON

**H.B. NO. 174, H.D. 1, RELATING TO FOOD LABELING**

Committee on Consumer Protection & Commerce

Wednesday, February 13, 2013

2:30 p.m.

Conference Room 325

Aloha Chair McKelvey, Vice Chair Kawakami and Committee Members:

Thank you for this opportunity to submit testimony in strong support of H.B. No. 174, H.D. 1, Relating to Food Labeling. My testimony is submitted in my capacity as an individual member of the Kaua'i County Council.

H.B. No. 174, H.D. 1 requires specific labeling for imported produce sold in the State that contains or was produced with genetically modified material.

It is important to point out that many Nations around the world already require labeling of Genetically Modified Organisms (GMO) products, and that major U.S. grocery retailers are also now supporting National labeling requirements. Passage of H.B. 174, H.D. 1 will add further momentum to the National movement to label and Hawai'i can be a leader in this effort.

There are many reasons to support labeling but the core principle is that people have the right to know and the right to choose what they are buying and what they are consuming.

Some consumers are very concerned about possible health implications of consuming GMO foods. Without question the level of sensitivity to chemicals and food allergens vary tremendously from person to person. Without labeling, people are unable to make informed choices. Though there are many numerous studies on the health impacts of consuming GMO products, few of these studies have been conducted by independent researchers focusing on the long term impacts on humans, specifically children and pregnant women.

Other consumers are equally concerned about the moral, ethical and political implications of buying GMO products. They also deserve the right to know and choose. These concerns include:

- The environmental and social consequences caused by the commercialization and patenting of new life forms is far reaching, yet largely unknown.



February 12, 2013

RE: H.B. No. 174, H.D. 1

Page 2

- The globalization and ownership of the world food supply by a handful of multi-national companies is detrimental to food sovereignty, and threatens the very foundation of traditional agrarian communities.
- The reduction of bio-diversity caused by the concentrations of a single dominant species developed through genetic modification will ultimately weaken the species, and cause yet unknown impacts to related species.
- The transgenic foods created when crossing animal and plant genes have impacts to those whose vegetarian diet may be based on religion or culture.
- Locally, the explosive growth of the GMO industry has driven up the cost of farm land to the detriment of farmers who actually grow food for local consumption.

Most of the debate on the GMO labeling issue is focused on the health implications and/or the claim by GMO companies that the GMO Foods are “substantially equivalent” and thus should not be labeled. However, there are precedents in law for additional reasons to mandate labeling of food items including “Dolphin Safe” labeling laws which were enacted for environmental protection reasons.

For these reasons combined with the health and diet implications, myself and many other consumers believe we should be able to choose whether or not we would like to purchase and consume these products.

It is governments’ role and fundamental responsibility to protect the health and welfare of the people and of the *‘aina*. There is no question that more and more people are trying to take back control of their diets and to make better choices with regards to the foods they consume.

For the reasons stated above, I strongly urge this Committee to unanimously pass H.B. No. 174, H.D. 1, and to support the right of the people of Hawai’i to know what is in the food they are consuming and to make informed choices based upon whatever reason they choose to. Again, thank you for this opportunity to submit testimony.

Sincerely,



GARY L. HOOSER

Councilmember, Kaua’i County Council

HOUSE HEARING  
Committee on Consumer Protection and Commerce  
Wednesday, February 13, 2013  
2:30PM, Conference Room 325  
State Capitol, 415 South Beretania Street

**Testimony OPPOSING HB174 HD1**  
Relating to Food Labeling

Aloha Chair McKelvey, Vice Chair Kawakami and Respected Committee Members:

**I strongly oppose HB174 HD1.**

It is logical to say that consumers would view *mandated* labeling of genetically modified products as a warning; as a “mandate” is most often associated with informing the consumer of a hazard.

When we identify what product the FDA *requires* to be labeled, we understand the purpose and intent of their labeling policy. The FDA requires a product to be labeled if there is a significant difference, the ingredient is a potential allergen, or somehow changes the nutritional properties of the food. The purpose is meant to bring attention to things that could affect the consumer, not for ideological differences.

The FDA is resolute in its finding, based on good peer reviewed scientific evidence, that genetically modified (GM) crops do not differ from non-GM crops, and that products containing them do not have to be labeled. This is because no approved biotech crop is an allergen, or has nutritional differences from non-GM counterparts. *Thus there is no scientific evidence or reason to suggest that GM products cause harm or should be targeted and mandated to be labeled, in accordance with FDA policy.*

Lastly, the resultant consequences of passing a bill to *mandate* the labeling of GM products would put a huge burden on our affected state regulatory agencies, put suppliers and retailers at risk of frivolous lawsuits (versus not putting them at risk by using the existing *voluntary* labeling policy), and inevitably burden the consumer because of these increased costs. Current voluntary labeling, for those who choose to label their product non-GM, is in wide spread use and very successful in providing a consumer choice, as well as allow the producer to command a premium price point.

Our time, money and energy would be better spent on educating the public on agricultural co-existence, which will help our State identify real solutions for greater economic self sufficiency.

I humbly ask that you oppose HB174 HD1.

Respectfully submitted,

Dawn Bicoy  
Community Affairs Manager  
Monsanto Molokai

## kawakami2 - Rise

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**From:** CPN Testimony  
**Sent:** Tuesday, February 12, 2013 8:17 AM  
**To:** CPCtestimony  
**Subject:** FW: HB174HD1 - oppose

And another...

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From: STOLTZFUS, DAVID L (AG/2563) [mailto:david.l.stoltzfus@monsanto.com]  
Sent: Tuesday, February 12, 2013 8:15 AM  
To: CPN Testimony  
Subject: HB174HD1 - oppose

Chair McElvey and Members of the Commerce and Consumer Protection Committee,

My name is David Stoltzfus, Site Lead for Monsanto on Maui. I oppose House Bill 174HD1

The requirement to label products from a genetically modified crop makes a false or negative assumption that a genetically engineered 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 food from 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. This same conclusion has been reached by the World Health Organization, the American Medical Association, the U.S. National Academy of Sciences, the American Association for the Advancement of Science, the British Royal Society, and every other respected organization that has examined the evidence.

Mandatory labeling of genetically engineered food products will have an impact on our economy. Economic studies performed by University of California, Davis researchers on a similar food labeling measure, California's Proposition 37, show that labeling requirements:

- Impose additional costs on local food retailers to meet the requirements
- Result in higher price tags on food, because manufactures and retailers could be forced to change the methods used to produce them, either by switching to non-GE products for certain crops or by forcing separate processing, labeling, packaging, recordkeeping, and distribution channels for the state.
- Place an increased burden of higher grocery costs on consumers, especially the poor who spend a larger share of their income on food.

Voluntary labeling and consumer choice is already available. Mandatory labeling is an attempt to discredit a scientifically sound method of food production and will negatively affect the consumer.

HB 174 HD 1 is a poorly conceived bill and a bad policy for the State of Hawaii to adopt. I respectfully ask that you do not allow activists to dictate Hawaii's agriculture policy.

Thank you,

**David Stoltzfus**  
Monsanto  
MSP Maui Site Lead  
Office: (808) 874-7345  
[dlistol@monsanto.com](mailto:dlistol@monsanto.com)

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# HAWAII ORGANIC FARMING ASSOCIATION

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Monday, February 11, 2013

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Dr. Hector Valenzuela

Dr. Melissa Yee

**Re: H.B. 174 HD1 Relating to the Labeling of Imported Genetically Modified Produce**

Committee Chair McKelvey, Vice Chair Kawakami, Committee Members  
House Committee on Consumer Protection & Commerce

HOFA (Hawaii Organic Farming Association) supports the passage of H.B. No. 174 HD1 relating to the labeling of genetically modified (GM or GMO) imported produce.

HOFA, established in 1994 is an Association of Hawaii organic farmers, distributors, retailers, other organic industry members, and organic consumers. HOFA's vision is to create a sustainable future for Hawaii and our mission is to further organic and sustainable agriculture, land care, and lifestyles in Hawaii, thus giving meaning and life to our state motto: *Ua mau ke ea o ka aina I ka pono* "The Life of the Land is Perpetuated in Righteousness".

HOFA strongly advocates that the growing of organic foods is best for Hawaii, its' land, the environment, and for the people, as it excludes the use of genetic engineering, irradiation, the use of toxic sludge, and the use of harmful chemical fertilizers, pesticides, herbicides, etc. We believe that farming in this way helps to provide food self-sufficiency and food security for the people of Hawaii in a way that is *pono* and in everybody's best interests.

HOFA supports passage of this bill for the following reasons:

1. Without labeling consumers are unable to identify GM foods and don't know if they are consuming them or not.
2. Consumers have the **right to know** whether the foods they eat are produced using GM techniques, the overwhelming majority of consumers (as much as 90% in major media surveys) want to know whether the foods they consume are GM or not.
3. For a number of reasons GM foods are clearly and significantly different from non GM foods and should be labeled so consumers can identify GM foods and avoid them should they choose to do so. Some of the key differences between GM and non GM foods are as follows:
  - a. Food production should be moving towards more sustainable methods of agriculture, foods and farming methods that are in harmony with nature, i.e. not using harmful chemicals such as insecticides, herbicides, chemical fertilizers etc. **GM foods are moving in the opposite direction and their production results in unnatural foods with increased chemical use in the production of food.** For example, the two principal traits found in commercialized GM foods are:

**Hawaii Organic Farming Association**

*Our Vision is to:*

*Create a sustainable future for Hawaii.*

*Our mission is to:*

*Further organic and sustainable agriculture, land care, and lifestyles in Hawaii, thus giving meaning and life to our state motto: Ua mau ke ea o ka aina I ka pono "The Life of the Land is Perpetuated in Righteousness".*



# HAWAII ORGANIC FARMING ASSOCIATION

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Dr. Hector Valenzuela

Dr. Melissa Yee

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i. Resistance to Round-Up herbicide, which has resulted in increased use of Round-Up and consequent increased chemical residues in our food, water, soil, and air, and a host of other negatives such as "super-weeds" which are becoming resistant to the ever increasing amounts of poison being sprayed on them.

ii. The insertion of insecticide, Bt, directly into the genes of the food we eat.

b. **GM crops are generally mono crops** (i.e. large areas of land are used for their production, and the same crop is repeatedly replanted year after year) which results in the degradation of the soil and topsoil loss with long term consequences to our ability to feed ourselves.

c. **GM food has a different genetic makeup** than regular foods as GM foods contain genetic material from other species of life; this is not possible in the natural environment or by other plant breeding techniques.

d. There are **unknown human health and environmental risks** associated with GM foods:

i. Numerous scientific studies show causes for concern.

ii. While the biotech industry alleges that their products are safe, it should be kept in mind that some of these same companies claimed that Agent Orange and DDT were safe.

iii. The tobacco industry similarly denied any test or study results that showed concerns for human health from consuming their products.

4. HB 174 HD1 is a very limited in its application. It relates only to imported produce items, and does not cover any Hawaii produce. HOFA believes that all foods containing GMOs should be labeled. This bill, while very limited, is a start, and a move in the right direction and thus should be supported.

HOFA further advocates that the bill should be amended to:

1. Include all foods containing GMOs
2. The implementation date should be changed to be in 2013

Please vote in favor of H.B. No. 174 HD1.

Respectfully submitted,

Mark Fergusson  
**President**

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**Hawaii Organic Farming Association**

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*Create a sustainable future for Hawaii.*

*Our mission is to:*

*Further organic and sustainable agriculture, land care, and lifestyles in Hawaii, thus giving meaning and life to our state motto:  
"Ua mau ke ea o ka aina i ka pono "The Life of the Land is Perpetuated in Righteousness".*



HAWAII FOOD INDUSTRY ASSOCIATION (HFIA)  
1050 Bishop St. PMB 235  
Honolulu, HI 96813  
Fax : 808-791-0702  
Telephone : 808-533-1292

DATE: Monday, February 13, 2013 TIME: 2:30 p.m PLACE: Conference Room 325

Committee on Commerce and Consumer Protection

Rep. Angus L.K. McKelvey, Chair; Rep. Derek S.K. Kawakami, Vice Chair

FROM: Hawaii Food Industry Association - Lauren Zirbel, Executive Director

RE: HB 174, HD 1 RELATING TO FOOD LABELING

Chairs & Committee Members:

Requires all imported genetically engineered fresh produce sold in Hawaii to be labeled as "genetically engineered". Requires disclosure of genetic engineering and compliance with recommendations of the Invasive Species Council upon import. Effective July 1, 2050.

**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.

As proposed, this labeling required would be inconsistent to federal requirements, and therefore, costly to implement. Hawaii imports 85% of the food consumed in the state. **Hawaii's food demands are not large enough to force domestic and foreign food suppliers to meet these labeling requirements.** As such, the cost will be borne by Hawaii's food importers and consumers.

**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.

## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 8:00 AM  
**To:** CPCtestimony  
**Cc:** hawaiiifish@gmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ron Weidenbach	Hawaii Aquaculture & Aquaponic Association	Oppose	No

Comments: The HAAA opposes this proposed legislation as an unnecessary cost to the retailer who would have to implement these requirements and to the State who would have to enforce these requirements. This is a technically complex issue that has strong Federal oversight. Further oversight at the State level would be costly, and is unnecessary and unwarranted. Much knowledge has been gained in this area of science since the cited 2002 report. Former opponents of GMO foods are now realizing the overriding importance of feeding a hungry world in a time of global climate change. This is one of the global challenges of our time, increasing yearly, and all scientific options need to be available to address this issue. Let the Federal government provide the appropriate oversight and absorb the costs involved. We do not have the resources locally to justify taking such a strong and potentially problematic legislative step.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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# **HAWAIIAN AFFAIRS CAUCUS**

## **DEMOCRATIC PARTY OF HAWAII**

1050 ALA MOANA BLVD D-2150, HONOLULU, HI 96814

### **LEGISLATIVE TESTIMONY**

HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

HEARING: Rm.325 2/13/2013 2:30 PM

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#### **HB 174 HD1 - RELATING TO FOOD LABELING**

#### **POSITION: STRONG SUPPORT**

The Hawaiian Affairs Caucus of the Democratic Party of Hawaii is submitting testimony in **STRONG SUPPORT** of HB 174 HD1 which involves GMO Food labeling and the people's right to know what is in the food we eat.

The ultimate form of consumer protection promotes its' standards on the people's right to know and to sustain life, liberty and the pursuit of happiness. Hawaiian culture and core values are also dedicated to these ideals determined for centuries by utilizing hui kulanakauhale, ohana and the stewardship of the ahupua`a.

For these reasons, we the Hawaiian Affairs Caucus of the Democratic Party of Hawaii stand in **STRONG SUPPORT** of this bill.

`O ia ihola nō me ke aloha.

Lela M. Hubbard  
Chair

# **Environmental Caucus of the Democratic Party of Hawai'i**

State Democratic Headquarters ♦ 1050 Ala Moana Boulevard, Ste 221 ♦ Honolulu, Hawai'i, 96814  
(808) 596-2980 ♦ <http://EnvironmentalCaucusoftheDemocraticPartyofHawaii.com>

**February 12, 2013**

## **Testimony in Support of House Bill 174 HD 1**

**Aloha Chairperson Rep. Angus McKelvey Vice Chair Rep. Derek Kawakami and members of the  
House Consumer Protection and Commerce Committee,**

**My name is Mrs. Juanita Brown Kawamoto, Subcommittee Chair of Food and Farm Sustainability  
of the Environmental Caucus of the Democratic Party of Hawaii, Executive Board member at Large  
and a Native Hawaiian citizen advocate.**

**I am here to testify in strong support of HB 174 – Relating to Food Labelling. The ECDPH and the  
DPH support the need for food labeling as reflected in our current 2012 DPH State convention  
resolutions and ECDPH past testimony requesting the support for assistance to the Department of  
Agriculture in the monitoring of local food production.**

**The focus of the world food supply needs to shift from its current focus on generic food ingredient  
labeling to what has been adopted in other parts of our nation and across the world specifically  
regarding genetically modified or genetically engineered materials (GMO) in whole food labeling.**

**Hawaii must support our right to know, protect our health, and not give in to Anti-labeling  
proponents that claim it is too expensive to label. The solution could be as simple as a sticker. Hawaii  
could have an import rule for manufacturers to state whether their product is intended to be GMO  
or GMO free, and whether it has been tested. Even the smallest producers would not be hindered  
with use of an additive sticker method, so there is no economic stumbling block for even the smallest  
mom and pop operation to sell products in Hawaii. No labeling only benefits the producers, both in  
terms of profit and plausible deniability. If we do not label it, we cannot track it; if we cannot track  
it, we cannot prove or disprove it was responsible for food allergies or illnesses.**

**The Environmental Caucus of the Democratic Party of Hawaii strongly supports GMO labeling and  
HB 174 HD1.**

**Mahalo for the opportunity to provide testimony.**

**Mrs. Juanita Brown Kawamoto  
Subcommittee Chair  
Environmental Caucus of the Democratic Party of Hawaii**



# Hawaii Crop Improvement Association

*Growing the Future of Worldwide Agriculture in Hawaii*

Testimony by Alicia Maluafiti  
HB 174 HD 1 – Relating to Food Labeling  
The House Committee on Consumer Protection and Commerce  
Wednesday, February 13, 2013  
2:30 pm, Room 325

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**Executive Director**  
Alicia Maluafiti

### Position: Opposition

Aloha Chair McElvey, Vice Chair Kawakami, and members of the Committee:

My name is Alicia Maluafiti, Executive Director of the Hawaii Crop Improvement Association, a nonprofit trade association representing Hawaii seed farmers. We oppose HB 174 requiring the mandated labeling of imported genetically engineered produce.

On the surface, some people might consider this HD 1 a compromise to the original version which would have mandated labeling of all 80 percent of foods containing genetically engineered ingredients at a cost to the tax payers and consumers. Unfortunately the entire premise of that initiative and the resulting amended version are misguided and a result of the ill-informed fear-mongering of a vocal minority who would burden our local families with increased food costs.

Sadly – HB 174 HD 1 will not only hurt local consumers, but it will hurt our farmers as well when other states decide to return the favor to Hawaii by mandating labeling of our produce into their states. The industry most likely to feel the greatest negative impact will be our 150+ small papaya farmers. Not only would they be forced to label their transgenic papaya to be able to ship to the mainland states, but the entire labeling effort is really an attempt to discourage consumers from buying GMO products by scaring them with a meaningless label. Again – our small papaya farmers and their export market which benefits Hawaii will be unintended consequence of this bill.

There is simply no justifiable reason – other than to pacify the lifestyle choices of a few people wishing to shut down an entire industry and technology – to label foods that pose no health or safety risk to the population. Instead – lawmakers should be more concerned about the 48 million people that get sick each year from food poisoning which according to the Centers for Disease Control, nearly half get sick from fresh non-GMO produce. Yet after 17 years and 3 trillion servings, there is not one single documented case of food poisoning resulting from genetically engineered foods.

We oppose this bill and ask the committee to seriously consider its impact on the state. Mahalo for the allowing me to testify on behalf of the many families who are working two jobs to put GMO food on the table. Aloha!



**MOLOKAI CHAMBER OF COMMERCE**

P.O. Box 515  
Kaunakakai, HI 96748

T 808 646 0928

info@molokaichamber.org

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

February 13, 2013

**HOUSE HEARING**  
**Committee on Consumer Protection and Commerce**  
**Wednesday, February 13, 2013**  
**2:30PM, Auditorium**  
**State Capitol, 415 South Beretania Street**

**Testimony OPPOSING HB 174 HD1**  
**Relating to Food Labeling**

Aloha Chair McKelvey, Vice Chair Kawakami and Respected Committee Members,

As a representative organization of the neighbor-island of Molokai, we are respectfully submitting testimony in opposition of HB 174 HD1. We would also like to clarify any misunderstanding that may arise from other testimony attributed to the people of Molokai on the above resolution. The Molokai Chamber of Commerce, which represents dozens of businesses that employ hundreds of people, that provide for their families, stands in **STRONG OPPOSITION** to HB 174 HD1.

We humbly ask you to consider the following:

- How can the State of Hawaii mandate labeling of imported genetically engineered produce and not require it of our own agricultural producers if it truly is meant to inform the consumer?
- How would this measure affect the distribution of our agricultural products on the U.S. Mainland if we make it more difficult for mainland farmers to distribute their produce in Hawaii?
- What will be the cost to Hawaii taxpayers of implementation and enforcement of this unnecessary measure?
- What will be the increased cost of offshore produce to Hawaii residents and families as the increased financial burden of compliance to offshore agricultural producers inevitably gets passed on to the consumer?
- What will be the exponential cost increase to the neighbor islands as a result of this measure due to the additional leg of shipping and increased levels of interisland shipping compliance?
- There is no scientific evidence to warrant the labeling of any genetically engineered food – imported or otherwise. How can this possibly be good legislation?
- Is the intent of this proposed resolution to sincerely inform and protect the public or to simply pay deference to an extreme ideology and it's followers?

We humbly ask that you hold HB 174 HD1.

Sincerely,

Robert Stephenson, President & CEO



EARTHJUSTICE

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NORTHWEST ROCKY MOUNTAIN WASHINGTON, DC INTERNATIONAL

REPRESENTATIVE ANGUS L.K. MCKELVEY, CHAIR  
REPRESENTATIVE DEREK S.K. KAWAKAMI, VICE-CHAIR  
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

TESTIMONY RE: HOUSE BILL NO. 174, HD 1  
RELATING TO FOOD LABELING

February 13, 2013, 2:30 a.m.  
Room 325

Good morning Chair McKelvey, Vice-Chair Kawakami, and members of the Committee:

My name is Paul Achitoff, and I am an attorney with Earthjustice, a public interest environmental nonprofit law firm that has been operating in Hawai'i for over 25 years. I appreciate the opportunity to offer this testimony regarding House Bill No. 174. Earthjustice supports this bill, which requires that foods produced through genetic engineering sold in Hawai'i be labeled as such.

I personally have been working on issues concerning genetic engineering for over ten years, and have litigated numerous lawsuits on the issue, in Hawai'i and across the United States, against Monsanto, Syngenta, and the U.S. Department of Agriculture. This has allowed me to become intimately familiar with both the regulatory process as well as the realities of the science behind genetically engineered products. Unlike representatives of Monsanto, the Hawai'i Crop Improvement Association, and virtually all others who testify in opposition to this bill, I have no personal financial interest in this matter. Unlike them, I am not paid to take a certain position on this bill, but am testifying because Earthjustice and I, based on a great deal of study, have concluded that labeling of genetically engineered foods is in the public interest.

Food labeling is central to the Committee's charge of protecting consumers. Although Monsanto repeats its mantra that genetically engineered foods are safe, the simple truth is that the federal government has never tested genetically engineered foods for safety, and is not required to do so as a matter of policy, rather than as a result of any scientific determination

that the foods are safe. Instead, Monsanto and the other developers of these products submit data produced by scientists on their payroll and the federal government gives its approval, which it has never, ever withheld. The standards and protocols applied in these company-controlled tests do not withstand scrutiny by independent scientists, who have found it problematic to obtain and perform tests themselves with patented seed, since the genetic engineering companies will not allow access to the seed unless the scientists agree to the companies' oversight. Nonetheless, one peer-reviewed study after another has emerged in recent years finding that these products can cause serious abnormalities in laboratory animals.

Moreover, Monsanto emphasizes the supposed lack of proof that the products it does not freely allow to be independently tested cause harm to human health because it cannot contest that these products cause many other harmful environmental and socioeconomic effects that are not subject to dispute. The people of Hawai`i have a right to decide for themselves whether they want to eat and serve those foods to others, and also whether they want to subsidize the production of crops that cause these widespread harms.

While the industry has tried to dupe the public into imagining that genetically engineered products are somehow better for them or serve some public purpose, the large majority of genetically engineered crops are designed solely to resist the effects of pesticides, and in particular, Monsanto's Roundup herbicide, or glyphosate. These crops were created to sell herbicide, and they have in fact succeeded in doing so. It is an established fact that hundreds of millions of additional pounds of herbicide have been used on America's agricultural lands due to the use of these crops. As a result of farmers having doused their fields over and over with Roundup, many millions of acres of U.S. farmland are now infested with herbicide resistant "superweeds." This problem has been widely reported, and has been the subject of congressional hearings. Nearly half of all U.S. farmers now report that their fields are infested with Roundup-resistant weeds, up from 34 percent in 2011. Farmers must now use other methods to kill these weeds, and many have turned to using more toxic herbicides for this purpose, and some have had to go back to hand weeding.

The herbicide used on most genetically engineered crops, glyphosate, is now found in virtually all of the ground and surface waters of many states, and even in the rain, according to a recent study by the U.S. Geological Survey.

It is an established fact that U.S. farmers have suffered well over a billion dollars in documented damages as a result of having their crops contaminated with genetically engineered varieties that destroy their market, either because other nations, dozens of which now require labeling, refuse to accept them, or because consumers and processors want no part of them. The contamination of the U.S. long grain rice crop a few years ago alone has resulted in hundreds of millions of dollars in damages awarded to rice farmers after trial, or through settlements, and there have been other, similar contamination events involving other genetically engineered products that have mistakenly ended up on supermarket shelves or in the fields of farmers who do not want them.

Poll after poll has shown a very large majority of people—up to 90 percent—want genetically engineered foods labeled so that they can decide for themselves what to purchase, what to eat, what to feed their children, and what kinds of businesses to support with their dollars. Neither the companies that genetically engineer the crops, nor the farmers who choose to grow them for their own convenience have a right to profit by forcing everyone to buy their products by preventing them from learning what they are purchasing. Fundamental to the charge of this Committee is the recognition that secrecy at the expense of others is not an ethical, acceptable method of marketing. The argument that we ought not to tell people what they are buying because they might decide not to buy our product is one that our society rejected a long time ago. We are not here discussing a requirement that products be labeled deceptively, but merely that they be truthfully, neutrally labeled so that consumers may make up their own minds, and not have their minds made up for them by a company that profits from secrecy.

As for the provisions of the bill itself, we believe that any greater transparency is good, any degree of truth in labeling is a step in the right direction, so we support the bill. We would like to see the bill require a broader scope of labeling, as there is no sound public policy basis for requiring one grower to label while allowing another grower of the same product to slip his product into the marketplace without a label. To protect consumers, all genetically engineered foods should be labeled.

We respectfully ask you to pass HB174. Thank you again for the opportunity to offer this testimony.

## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 1:42 PM  
**To:** CPCtestimony  
**Cc:** ofstone@aol.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeri Di Pietro	Hawai`i SEED and GMO Free Kaua`i	Support	Yes

Comments: Thank you for the opportunity to submit written testimony in support of HB 174 HD1 regarding the need for labeling of genetically modified foods. We support this effort to acknowledge that American consumers have the right to know if food is produced by genetic engineering. Most countries including the European Union and Japan require labeling and we believe that the United States should require labeling as well. Consumers deserve truth in labeling. We feel this is important to prevent unintended consequences such as allergies and religious choices for consumers. Mahalo for the opportunity to submit written testimony in support of gmo labeling for Hawai`i.

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HOUSE HEARING  
Committee on Consumer Protection and Commerce  
Wednesday, February 13, 2013  
2:30PM, Auditorium  
State Capitol, 415 South Beretania Street

**Testimony OPPOSING HB174 HD1**  
Relating to Food Labeling

Aloha Chair McKelvey, Vice Chair Kawakami and Respected Committee Members. As President of the Molokai Farm Bureau and on behalf of our participating members I respectfully submit the following comments:

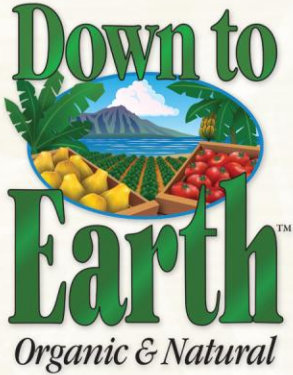
- **FOOD PRODUCT LABELLING IS THE KULEANA OF OUR US FOOD AND DRUG ADMINISTRATION:** Food product labeling is best handled on a nationwide basis. State and County legislation related to food labeling will only add confusion, cost and unnecessary litigation. We may even see restrictions on the volume and variety of food shipped to Hawaii.
- **GMO CROPS ARE SAFE AND NO DIFFERENT:** The FDA has determined that where genetically-modified crops don't differ from non-GM crops, that products containing them don't have to be labeled. FDA does require the product to be labeled if the ingredient is a potential allergen, or somehow changes the nutritional properties of the food. To date, no approved biotech crop is either an allergen, or has any significant nutritional differences from non-GM counterparts.
- **VOLUNTARY LABELING ALREADY ENSURES CONSUMER CHOICE:** Individuals who make a personal decision not to consume food containing GM ingredients can easily avoid such products. They can purchase products that are certified as organic under the National Organic Program.
- **THE ACTIVIST EXTREMISTS AND THEIR SUPPORTERS IN OUR LEGISLATURE ARE SIMPLY GRASPING AT STRAWS WITH HB 174 HD 1.** It is a bad bill that will establish bad state policy. Labeling "out of State" products under the guise of protecting the public health is illogical and not legally defensible.

**I strongly oppose HB174 HD1. Please kill it and return scientific logic and reason to our legislative process!**

Respectfully submitted,

Raymond J. Foster  
President, Molokai Farm Bureau

Love Life!



**Testimony to the House Committee on Consumer Protection & Commerce  
Wednesday, February 13<sup>th</sup>, 2013 2:30pm  
415 South Beretania Street  
Conference Room 325**

**To: Rep. Angus L.K Mckelvey, Chair, Rep. Derek S.K Kawakami, Vice Chair  
Re: HB 174 HD1 Relating to Food Labeling**

My name is Trisha Gonsalves. I am the Community Outreach Team Leader of Down To Earth *Organic & Natural*. We have five stores throughout the state: four on Oahu and one on Maui.

Corporate Office  
P.O. Box 1166  
Kailua, HI 96734  
Phone: (808) 484-5890  
Fax: (808) 484-5896  
corporate@downtoearth.org

#### OAHU LOCATIONS

**Honolulu**  
2525 South King Street  
Honolulu, HI 96826  
Phone: (808) 947-7678  
Fax: (808) 943-8491  
honolulu@downtoearth.org

**Kailua**  
201 Hamakua Drive  
Kailua, HI 96734  
Phone: (808) 262-3838  
Fax: (808) 263-3788  
kailua@downtoearth.org

**Pearlridge**  
98-129 Kaonohi St.  
Aiea, HI 96701  
Phone: (808) 488-1375  
Fax: (808) 488-4549  
pearlridge@downtoearth.org

**Kapolei**  
4460 Kapolei Parkway, Suite 320  
Kapolei, HI 96707  
Phone: (808) 675-2300  
Fax: (808) 675-2323  
kapolei@downtoearth.org

#### MAUI LOCATION

**Kahului**  
305 Dairy Road  
Kahului, HI 96732  
Phone: (808) 877-2661  
Fax: (808) 877-7548  
kahului@downtoearth.org

***Down to Earth supports HB 174 HD1*** which requires all imported genetically engineered (GE) fresh produce sold in Hawaii to be labeled as "genetically engineered" and requires disclosure of genetic engineering and compliance with recommendations of the Invasive Species Council upon import. Effective July 1, 2050.

We support this bill for several reasons:

***There are unknown human health and environmental risks*** associated with GE foods. Genetic engineering poses risks that scientists simply do not know enough to identify. In fact, based on what little is known about GE foods, many scientists have identified a variety of ways in which GE organisms could adversely impact both human health and the environment, so there is reason to be concerned.

***Consumers have the right to know*** whether the foods they eat are produced using genetic modification techniques. The overwhelming majority of consumers want to know whether the foods they consume are genetically modified or not. Many are not convinced that GE products are safe. While some oppose them based on scientific studies, others oppose them on religious, spiritual, philosophical, or ethical beliefs.

Most people want the right to choose what they eat and what they feed their families. The lack of required labeling takes that right away. Government and the GE industry say there's no nutritional difference between GE and conventional foods, so according to them we don't need to know.

Whether or not GE foods are alleged to be safe is irrelevant. Our right to know what is in the food we are buying and our right to choose our preferred food should not be usurped for any reason.

With increased awareness about the potential health and environmental hazards associated with GE foods, consumers are increasingly asking whether the food they are buying contains GE ingredients. Surveys conducted by the national news media suggest that over 90% of people want to know this.



Love Life!

This is a document  
mamat  
Page 2 of 2  
February 12, 2013

**HB174 Relating to GMO Labeling**

Testimony, Trisha Gonsalves, Down to Earth  
Page 2 of 2  
Feb. 12, 2013  
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Few choices in our daily lives are as important as the food choices we make for ourselves and our families. We should be the ones in control, not government, and certainly not the big agribusinesses that have a vested interest in ensuring their GE products remain unlabeled. They are opposed to labeling as they know that if GE foods are labeled a large number of consumers will avoid them, just as they have in European and Asian countries.

We call on the Hawaii State Legislature to support labeling of foods that contain GE material. Please vote in favor of HB 174 HD1

Thank you for this opportunity to submit testimony.

Mahlao Nui Loa,  
Trisha "Mama T" Gonsalves  
Community Outreach Team Leader  
Down to Earth *Organic & Natural*  
2525 South King Street  
Honolulu, HI 96826  
Phone: 697-5735  
[mamat@downtoearth.org](mailto:mamat@downtoearth.org)

**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 11, 2013 3:27 PM  
**To:** CPCtestimony  
**Cc:** tabraham08@gmail.com  
**Subject:** \*Submitted testimony for HB174 on Feb 13, 2013 14:30PM\*

**HB174**

Submitted on: 2/11/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Troy Abraham	Individual	Support	No

Comments:

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## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 11, 2013 3:30 PM  
**To:** CPCtestimony  
**Cc:** rittew@hotmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/11/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Walter Ritte	Individual	Support	Yes

Comments: I am in strong support of HB 174. This is a "right to know" issue that has strong support in Hawaii. Part of the free enterprise system is labeling products to convince consumers to buy your product. GMOs are not labeled today.

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 11, 2013 4:27 PM  
**To:** CPCtestimony  
**Cc:** douglas@konahawk.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/11/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Douglas Pittman	Individual	Support	No

Comments: Please allow us to know what we are really eating!

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 11, 2013 6:01 PM  
**To:** CPCtestimony  
**Cc:** pamelapcm@gmail.com  
**Subject:** \*Submitted testimony for HB174 on Feb 13, 2013 14:30PM\*

**HB174**

Submitted on: 2/11/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Pamela Williams	Individual	Support	No

Comments:

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## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 11, 2013 7:05 PM  
**To:** CPCtestimony  
**Cc:** marilynmick@pobox.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/11/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marilyn Mick	Individual	Support	No

Comments: I support the labeling of all food with gmo ingredients to be labeled saying it contains gmos. However, this bill needs to be passed and take effect within 1 or 2 years. Postponing to 2050 is a joke.

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## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 11, 2013 7:15 PM  
**To:** CPCtestimony  
**Cc:** jeannine@hawaii.rr.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/11/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeannine Johnson	Individual	Support	No

Comments: Genetically modified organisms (GMOs), are produced by genetic engineering, the splicing of genes from one species into those of another. These are not combinations that can happen in nature and are experimental. Another aspect to GMOs are that superweeds and pests take over fields requiring farmers to use more pesticides. Increased concentration of chemicals in the air, water, and soil in GMO fields is a legitimate public health concern. America didn't use to require food labels with calorie or nutritional value information, but we do now, and most consumers use this information every day. Requiring disclosure of genetically engineered produce on labels would allow people to know what is in their food so that they can then make an informed choice to avoid the potential health risks of GMOs until more research on their long-term effects can be done. Fifty (50) countries with over 40% of the world's population already label GMO foods, including the entire European Union and China. A bill that would require labeling GMOS was passed in all three (3) Hawai'i counties, except Honolulu.

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Elaine Dunbar POB 861 Lihue, HI 96766 inunyabus@gmail.com

HB174 Related to Food Labeling

Aloha Chair and Committee Members,

This is critical and far too long overdue. It is not possible to fathom the message that is being sent by the financially fierce and battling opposition GMO Corporations, that we are NOT entitled to know what we PURCHASE nor what we CONSUME. The disturbing part about GM foods is we have no information on what specific viral, bacterial, pharmaceutical, animal, insect or human genes are being injected. I hope you are not OK with that thought.

I truly sympathize with the Hawaii Cattleman's Council and am grateful for the quality they strive to maintain in their beef products. However, the overall greater consequences to NOT labeling GMO products go far beyond prices. It is the GMO companies that have CREATED this situation for conscientious producers like them. I would hope that the Cattleman's Association could approach this from another angle perhaps through disclaimer educational information in their logos, marketing, truck signs, etc. that their product contains a significantly diluted percentage. People will understand, especially if it is presented the same way their testimony is here. And people will still purchase from them because it is far better than what the supermarkets offer.

I understand where TIMES and BIG SAVE are coming from with concerns, but do not sympathize with them because their reasons are too far into the mass marketing profit. In fact I used to be Art Director for TIMES and I understand the (fixable) Labeling quandaries that will eventually arise but hey, we are not put on this earth to serve as profit generators for TIMES or BIG SAVE.

GMO corporations have turned Hawaii into a floating pharmaceutical petri dish and they haven't even started their engines. No blow over to other states so Hawaii is perfect, besides no other countries want anything to do with them anymore since they have the facts. And the facts are compelling and at the same time GMO Corporations' methods are deceitful. Hawaii government is behind the eight ball on allowing them to remain here.

The Label does not say good or bad. It just means we have a right to know what it is. We are the purchasers; let us decide fairly. If they have to resort to deception to push their products: HOUSTON, we have a problem.

**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 11, 2013 9:14 PM  
**To:** CPCtestimony  
**Cc:** kjinakoa@hawaii.edu  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/11/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Keone Nakoa	Individual	Support	No

Comments: I support the enactment of HB 174.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Aloha Representatives,

Thank you for taking the time to consider this testimony. I am very concerned when it comes to GMO's and labeling them is the least we can do for now. I am attaching several studies that point to negative health and environmental impacts of GM crops. Please be aware of the impact of your actions and make the right decision supporting HB174. I take the poisoning of my children and their environment as a serious threat and will try and protect them at any cost.

Science has been relatively clear in predicting how few are the years between when the bees die and when the humans follow them. It appears now that the honey bees are pretty well on their way to extinction- in the majority of the globe.

Up till now it was considered something of a mystery as to who killed them.

New scientific evidence is now emerging to explain very clearly the sequence of steps - between Monsanto's marketing of GMO corn - and the death of the bees. Here far below, please find the paper - with abundant references.

The global bee die off did not reach Brazil for example until just after they let in [Monsanto's](#) GMO corn. Now it is Australia's turn. That is one of the few places in the world which still has healthy bees. The test is whether they will follow the foolish lead of Brazil in letting in GMO corn.

Here is the deadly sequence of steps which created our global funeral for the bees:

1. 1. Monsanto decides- that since the bacteria [Bacillus thuringiensis](#) - kills a corn parasite- to insert the DNA sequence from that bacteria IN to their GMO corn.
2. The BT in the corn pollen causes an immune system response (rather like triggering a sneeze) in the bees- similar to if they had eaten the BT directly - also causes holes and porosity in the gut.
3. During the summer- the bees have enough protein to tolerate the immune 'sneeze' response- and still learn navigation ... BUT during the winter when protein ( pollen) is in rather short supply in the hive- bees had evolved a survival response. IF a bee's immune system was threatened in Winter - then the hive was best served if it was eliminated. The way this works - is that the protein normally invested in learning and remembering complex navigation requirements- has gone into immune reaction- and so - those bees - immune challenged - get lost trying to get back to the hive. (Rather like the older people of the Eskimo's who simply don't show up at the next igloo in the march - during Winter).
4. This accounts for the facts:
  - a. CCD - Colony Collapse Disorder was originally called: Fall Dwindle Disease - because the bee disappearance almost always is worst just as Winter sets in.
  - b. It also explains why the few dead bees who are found- have the same blackened & porous guts- like bees responding directly to the BT.
  - c. It also explains why the global bee die-off generally followed the spread of GMO crops.

**COLONY COLLAPSE DISORDER AND GENETICALLY MODIFIED CROPS**

by [Peter Olson](#) BA. Dip Ed.  
Original version published in *The Northern Star*  
NSW, Australia

- [Genetically modified](#) (GM) crops often contain a bacterium called [Bacillus Thuringiensis](#) (Bt)
- Most of the research on Bt has looked at the directly lethal affects of Bt and little research has looked for indirectly lethal affects the Bt
- Some insects have been shown to survive the Bt poison by having a strong immune response to the Bt poison. (Ref R)
- Insects generally and Bees specifically, have been shown to experience learning impairment and memory disorder, if they have an immune response. (Ref A1, B, D, E)
- A learning impairment or memory disorder would mean that Bees could not navigate back to their beehive
- Thus, a learning impairment or memory disorder is lethal to a foraging Bee
- [Colony Collapse Disorder](#) (CCD) of Bees, was originally called Fall Dwindle Disease, meaning the disease occurred in the cold months of the year
- Bees use protein to construct a memory and their protein comes from pollen, but in winter there is no pollen
- Bees also use protein to achieve an immune response, so an immune response in winter, means all protein reserves are rapidly used up and none are left for memory formation. (Ref D)

Have you ever noticed that when you are sick, that you can't think quickly and clearly? It's a bee gets sick and can't think probably, it will not be able to return to its beehive.

Studies listed below show that learning in bumblebees is impaired, if the bumblebee has an immune response (Ref A1,B,D,E).

The insecticide Bt is incorporated into many genetically modified crops and Bt causes an immune response to a wide range of creatures in nature, even if it does not kill those creatures. (Ref Q,R,S)

It is a virtual certainty that the bumblebee does have an immune response to the Bt present in the pollen of genetically modified plants.

Bees only carry enough honey with them to fly directly to the target flowers and straight back to the beehive. The navigation to and from those flowers is extremely complex and so requires the bee to have a very good memory. Since learning and memory are impaired in bees that have an immune response, bees with an immune response get lost, run out of honey fuel, fall to the ground and are then are carried away by ants. Thus, if a bee gets lost, for even a few minutes, it is dead.

The *Encyclopedia Britannica* states of CCD that,  
"it appears that the disorder affects the adult bees' ability to navigate".  
(Ref Y)

Thus suggesting that worker bees fly out from the high hive to collect food, but get lost and never return.

In the case of the viruses and pathogens that have been suggested as causes of CCD, those viruses and pathogens result in large numbers of dead bees either inside or outside of the beehive. Dead bees are found outside the hive, because worker bees carry dead bees outside.

In CCD, the symptoms are that no dead bees are found inside or outside the beehive, rather all the,

"worker bees from a beehive or European honey bee colony abruptly disappear" (Ref V).

One of the most common traits inserted into man-made genetically modified crops is resistance to caterpillars, which is given by inserting a gene for a naturally occurring insecticidal bacterium called *Bacillus thuringiensis* (Bt).

In crops that are genetically modified to contain this Bt gene, the Bt will be present not only in the plants leaves and fruit but also in the pollen of the flowers. Thus Bees that take pollen from genetically modified crops are ingesting significant quantities of Bt insecticide. Many scientists have assured the public that Bt is safe, because Bt is not directly lethal to Bees.

However alcohol is also not directly lethal to a car driver, yet many car drivers have died from alcohol, even though alcohol is not directly lethal to a car driver. Scientists looking for a cause for CCD have generally looked for a direct cause, something such as virus or parasite, that is directly killing the bees. Discovering an indirect cause of mortality in bees, would be much more difficult and would only occur after scientists had first exhausted examining the most probable direct causes of mortality in bees.

A review of the literature shows that at the time of writing, according to **Cox Foster et al 2009**,

"no single culprit has been identified" as the cause of CCD (Ref Z3).

German research (Ref C), showed that bees who were fed Bt were not killed by the Bt, but that they became greatly more susceptible to a subsequent disease challenge.

The Jenna University study showed that mortality in Bees exposed to a parasite, was far greater in Bees that had previously been fed BT, compared to Bees that were not previously fed BT (Ref C). Meaning that BT increased the susceptibility of Bees to the pathogen and thus Bt multiplied the mortality caused by the pathogen.

In regard to that increased mortality from a pathogen combined with Bt ingestion, the authors concluded,

"the significant differences indicate an interaction of toxin and pathogen on the epithelial cells of the honeybee intestine. The underlying mechanism which causes this effect is unknown" (Ref C).

This is a highly significant finding because when GM crops containing BT were being approved, the universal assumption was, that GM crops containing Bt would be totally safe, because Bt has no effect on bees. Thus government scientists who approved GM Bt crops, would clearly have objected to those crops, if they thought that GM crops containing Bt would adversely affect bees.

In the USA, Cox Foster et. al. state of the CCD bee colonies that they studied,

"we hypothesized that something had compromised the bees' immune system, making them susceptible to any number of infections that healthy colonies would normally fend off" (Ref Z3).

This sounds quite similar to the Jenna University findings above. Furthermore, Cox Foster et. al. note that their Bee autopsies found symptoms never observed before, such as scar tissue in the internal organs (Ref Z3).

Bt is a living bacterium, that forms crystals of *proteinaceous insecticidal endotoxins*, whose mode of action is to form a pore or hole in the insect's gut cell membranes (Ref Z2).

Since the mode of action of BT is to damage the gut lining and since Cox Foster et al. found scar tissue in the internal organs of Bees, the question must be asked, was the damage to the internal organs of Bees that Cox Foster et. al. found, caused by the Bt in the pollen of GM crops, that the bees ate?

Cox Foster et al. 2006 noted during the autopsies,

"when wet mounts were examined they appeared to have crystalline arrays" and that "Crystal-like formations were observed in the thorax" (Ref Z4).

Bt toxins are crystalline.

Cox Foster et al. 2009, did consider the possibility that bees with CCD may have been poisoned by pollen from genetically modified crops. However the authors refer to earlier research, showing that the Bt toxin is only activated in certain insects and they note that the Bt toxin does not work in the digestive tracts of honeybees (Ref Z3).

Thus because of prior research showing that bees are not killed by Bt, and that BT cannot possibly effect bees, many bee scientists have avoided testing Bt on Bees, believing such testing has already taken place and have thus ruled out GM Bt as possible cause of CCD of Bees. The online encyclopedia [Wikipedia takes a very different view however and does list GM crops as a possible cause of CCD](#) (Ref V).

Testing for subtle, sub-lethal effects or synergistic affects of Bt with other organisms, where Bt is a cofactor, rather than a singular causative agent, has only been done recently. Where such testing has been done, the finding of sub-lethal effects or cofactor effects, was often by chance, rather than planned.

It was only by chance that the bees in the above mentioned Jena University study became infected with a parasite and thus only by chance that the scientists observed the synergistic effect, of combining a pathogen and Bt. The results of a growing number of studies, now show clear and substantial, non-lethal effects and cofactor affects, of Bt on Bees; a dramatic change from the previous scientific view, that Bt has no effect on Bees.

Even so, the non-lethal effects and cofactor affects of Bt on Bees still remain scantily studied and more research on these subtle kinds of affects is urgently required.

Ramirez et. al. 2008, tested Bt toxin on honeybees and discovered substantial non-lethal affects on the bees, including "disturbed learning performances".

**Ramirez** et al. concluded:

"Our results show that transgenic crops expressing (Bt) Cry1Ab protein at 5,000ppb may affect food consumption or learning processes" in Bees (Ref B).

The honeybee depends upon an unusual array of complex learning processes, in order to successfully find its food and navigate back to the beehive.

Unlike a car driver who may not remember exactly where the car is parked, in a large parking lot and who can afford to take some time to find the car, the honeybee cannot afford to forget, even for a short time, exactly where the beehive is located, even if the hive is several miles away. Memory impairment is not lethal to humans, but memory impairment and learning impairment is indeed lethal to honeybees. Thus in addition to causing increased disease susceptibility, BT is also shown to produce cognitive impairment in Bees.

It is important to note that BT is not the only insecticidal that has been shown to cause cognitive impairment in Bees.

**Cox Foster** et al. mentioned in 2006, that Neonicotinoid insecticides can produce sub-lethal effects, such as learning impairment and that as a result of a such learning impairment, Bees "may not be able to learn the location of the hive" (Ref Z4) and may thus may be unable to navigate back to the hive.

So one can now see, a proven trend, of learning impairment in Bees, caused by insecticide exposure at a sub-lethal dose. Cox Foster et al. 2006 clearly state what happens when Bees eat pollen contaminated with sub-lethal doses of neonicotinoid insecticides.

"If bees are eating fresh or stored pollen contaminated with these chemicals at low levels, they may not cause mortality but may impact the bee's ability to learn or make memories" (Ref Z4).

That sounds very similar to the above reference from Ramirez et al. 2008 who found "disturbed learning performances" in Bees after consumption of GM Bt pollen (Ref B). So the learning impairment in Bees, induced by consumption of insecticidal GM Bt pollen, can be seen as part of a larger trend for sub-lethal doses of certain insecticides, to produce learning impairment in Bees.

The difference between a neonicotinoid insecticide spray and the Bt insecticide in a genetically modified crop, is that the former is very easy to restrict or recall, whereas the latter may prove impossible to recall. With genetic materials, the quantity of GM material in existence gets bigger as time passes. If a problem develops with a GM crop, then that problem will likely increase as time passes.

The fact that CCD can be transmitted by beehive equipment could be due to the presence of the Bt bacterium in that beehive equipment and the fact that Cox Foster et. al. were able to break the cycle of CCD by irradiating the beehive equipment (Ref Z) and restocking with a new supply of Bees, could be due to the fact that the Bt bacterium was killed by the irradiation.

In order to understand CCD, or the disappearance of bees, one needs to understand something about the specialized lifestyle of the bee. In order to save weight and increase performance, bees only carry enough fuel (honey) to fly directly to the target flowers and then straight back to the beehive. If a bee gets lost, or encounters unexpected head-winds, it will not have enough fuel reserves to make it back to the beehive. Instead it will fall to the ground and die.

Ants will then carry the dead bee down into the ant nest.

Memory is also crucial to bees because a bee has to learn from other bees in the beehive, where the target flowers are located. The Bee must memorize the directions from the hive to the target flower and back again, so a perfect memory is essential for the survival of bees. Other insects like mosquitoes are less reliant on a good memory, and simply "follow their nose" to the food - whereas bees rely on memorizing complex navigation tasks and memorizing specific aromas (Ref F), to find specific food and then to find their way back to the beehive.

If one was to impair the learning or memorizing ability of bees, that would cause indirect mortality in bees, since they would not be able to find their way back to the hive.

GM Bt pollen is widely known not to kill bees directly, but was not tested prior to the release of GM Bt crops, for the ability of GM Bt pollen to kill bees indirectly, through impairing the memory of Bees.

There is scientific agreement that many different things can be lethal to Bees - such as disease, chemical sprays and even certain seed coatings.

In the [Flour Moth \*Ephestia kuehniella\*](#), a non lethal response to Bt and "tolerance (of Bt) correlates with an elevated immune response" to the Bt. (Ref R). For 99.99 percent of creatures, such a non-lethal immune response to Bt is of no practical significance and because of this, Bt is referred to as "soft" and is used widely in organic agriculture. There is however one particular species that is very unusual, in that it has a life threatening response, to sub-lethal immune stimulation (Refs B, D, E) and that species is the Bee. Immune response in Bees, can lead to memory loss and learning impairment (Ref B,D,E) and as previously stated, loss of memory would cause bees to forget where the beehive is located.



Bees are insects and an,  
"immune response inhibits associative learning in insects" (Ref E).

Bees are now eating GM Bt pollen and Bt is toxin known to cause a non-lethal immune response in a wide variety of creatures (Ref Q,R,S).

Bees use up protein in memory formation and they also use up protein if they have an immune response (Ref D). Bees only protein source is pollen and if pollen is in short supply and bees have an immune response, they will use all available protein for the immune response, leaving none available for memory formation (Ref D).

Pollen for bees is in short supply during Autumn and Winter, so if bees have an immune response when pollen is in short supply, they will lose their memory (Ref D). CCD was originally called *Fall Dwindle Disease*, meaning loss of bees in the Autumn, when pollen from flowers is in short supply. If bees lose their memory, they lose their navigational skills, they fail to find their way back to the beehive, they fall to the ground, die and get carried away by ants and are never seen again.

As mentioned above, the loss of memory due to an immune response, is not confined to Bees, but occurs in insects generally.

"The cost of an immune response (in insects) therefore not only affects survival of the host.... but also everyday behaviour and memory formation" (Ref E).

This learning impairment was only discovered recently (Ref E), long after GM crops had already been planted, however the effects of the GM Bt crops will go on for millions of years, since, like other introduced foreign species, GM crops can not be recalled.

During discussions with various Bee scientists, the writer was unable to find any scientist who had ever heard that insects and Bees lose their memory if they have an immune response. Perhaps the reason they did not know, is because the discovery of an immune - memory relationship in insects is very recent.

There is no evidence of direct mortality in bees from exposure to GM Bt crops, yet there is substantial evidence of sub-lethal effects in Bees from such exposure, that can result in high indirect mortality of Bees. If every air plane pilot had a sudden, non-lethal lapse of memory, there would be chaos which could cause in high mortality. Similar chaos occurs for Bees if they have a sudden lapse in memory, caused by an immune response and coincident pollen protein deprivation (Ref D).

When speaking to a PhD at a Gene Regulator's office, that PhD scientist described some of the information herein as "new" and not previously known by that Gene Regulator. Scientists that wish to defend GM Bt crops, need to counter the proven scientific evidence of indirect mortality in Bees that is provided herein, rather than simply stating that GM Bt pollen is not directly lethal to Bees.

Bt toxins produce sub-lethal effects in Bees and those sub-lethal effects result in changes in the Bee's "feeding behavior", "learning processes" and "foraging efficiency" (Ref B). Behavior change is evidence of learning impairment, and learning impairment can lead to lethal situations for Bees in the field - navigation problems and reduced flower finding abilities (Ref F), which are dependent on a perfect memory.

The different kinds of toxic GM Bt crystalline proteins are designated with different letters; Cry1A, Cry2A, Cry3A, etc.

Scientists in Mexico discovered that,

"the [Bt toxin Cry1Ab](#) caused reduced foraging activity in bees after they were fed with syrup containing the toxin" (Refs A, A1).

Something new is being put into the Bee's environment; something which is herein shown to impair the Bees functions and to increase their mortality from diseases such

as parasites (Ref C).

Bees do not simply go out and look for any flower. They learn and memorize the aroma and location of a specific flower while in the hive, then they fly directly to that specific flower's location (Ref F). Memory impairment would thus prevent Bees from finding a specific flower's location and similarly prevent Bees successful return to the hive.

It is crucial to understand that with CCD, dead Bees are seldom found in or near the hive.

When Bees are attacked by the lethal Bee mite,  
"thousands of dead bees will pile in front of the hive" (Ref U), as a result of infestation.

In the case of CCD however, few if any dead Bees are ever found in or around the hive. Hence although [Varroa mite](#) is a serious disease of Bees, its symptoms do not match the symptoms of CCD. Also, the timing of Varroa mite infestation does not match the timing of CCD appearance. Varroa first entered Japan in 1960's, Brazil in 1971, France in 1982 and the USA in 1987 (Ref T), but CCD was first noticed in USA around 2004, and in Europe about 2006, many, many years after Varroa arrived, but only shortly after GM crops were widely planted.

The writer does not wish to rule out other possible causes for CCD, because the intent is to simply demonstrate that GM Bt crops may harm Bees, regardless of whether they are the sole cause CCD or not.

It took decades to show that cigarette smoking was harmful and it could take just as long to gain consensus over the cause of CCD. It is simpler to suggest GM Bt pollen causes Bee memory loss (Ref D, E). That memory loss occurs when Bees have an immune response and are deprived of pollen (Ref D).

The *German Spiegel article* states that the bacterial toxin in the genetically modified corn may have "altered the surface of the bee's intestines, sufficiently weakening the bees to allow the parasites to gain entry" (Ref C).

[Wikipedia](#) says that the mode of action of Bt through making pores or holes in the gut lining (Ref T) and such holes caused by Bt, would obviously allow the parasites a new and easy pathway into the Bee. Is it not logical, that Bt exposure in the wild, would cause a similar, significant increase in mortality from parasites, like Microsporidia, just as it did in the trials (Refs A2, C)?

Bees are a key species for human food supply and bio-diversity and several lethal risks to Bees from GM Bt pollen are demonstrated here.

Britain's chief scientist Sir **David King**, once *proudly* stated that [Genetically Modified \(GM\) crops](#) "could solve third world hunger". Later he admitted that his claim was wrong (Ref M) and in fact the real outcome would appear to have been the exact opposite of his prediction. Now that GM crops have been widely planted and hence can not be recalled, we learn that GM crops actually produce significantly lower yields than natural varieties do.

A large American study showed that,  
"modified soya produces 10 per cent less food than its conventional equivalent" (Ref O).

## REFERENCES

NB: References with a PMID number can be found at the US National Library of Medicine website below, by simply typing the PMID number in the search box and hitting the enter key.  
<http://www.ncbi.nlm.nih.gov/sites/entrez?db=pubmed&TabCmd=Limits>

- Ref A.  
ISIS Press Release 26/04/07  
Dr. Mae-Wan Ho and Prof. Joe Cummins (Ontario Univesity)  
<http://www.i-sis.org.uk/MysteryOfDisappearingHoneybees.php>  
Mystery of Disappearing Honeybees - Quote: "The Bt toxin Cry1Ab caused reduced foraging activity in bees after they were fed with syrup containing the toxin"
- Ref A1  
Ramirez-Romero R, Chaufaux J and Pham-Delègue M.  
Effects of Cry1Ab protoxin, deltamethrin and imidacloprid on the foraging activity and the learning performances of the honeybee *Apis mellifera*, a comparative approach *Apidologie* 2005, 36, 601-11.
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The effects of Bt maize pollen on the honeybee, 2001-2004 Jena University, GMO Safety, Federal Ministry of Education and Research,  
[http://www.gmo-safety.eu/en/safety\\_science/68.docu.html](http://www.gmo-safety.eu/en/safety_science/68.docu.html)  
[http://www.gmo-safety.eu/en/oilseed\\_rape/honey\\_bees/339.docu.html](http://www.gmo-safety.eu/en/oilseed_rape/honey_bees/339.docu.html)  
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*Ecotoxicol Environ Saf.* 2008 Jan 16  
Does Cry1Ab protein affect learning performances of the honey bee *Apis mellifera* L. (Hymenoptera, Apidae)?  
Ramirez-Romero R, Desneux N, Decourtye A, Chaffiol A, Pham-Delègue MH. Instituto de Ecologia A.C., Km. 2.5 Carretera Antigua a Coatepec No. 351 El Haya, 91070 Xalapa, Veracruz, Mexico.  
The tested concentrations of Cry1Ab protein did not cause lethal effects on honey bees. However, honey bee feeding behavior was affected when exposed to the highest concentration of Cry1Ab protein, with honey bees taking longer to imbibe the contaminated syrup. Moreover, honey bees exposed to 5000ppb of Cry1Ab had disturbed learning performances. Our results show that transgenic crops expressing Cry1Ab protein at 5000ppb may affect food consumption or learning processes and thereby may impact honey bee foraging efficiency.  
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  - COLLAPSING COLONIES  
Are GM Crops Killing Bees?  
By Gunther Latsch  
quote: "when, by sheer chance, the bees used in the experiments were infested with a parasite... a "significantly stronger decline in the number of bees" occurred among the insects that had been fed a highly concentrated Bt poison feed."  
According to Hans-Hinrich Kaatz, a professor at the University of Halle in eastern Germany and the director of the study, the bacterial toxin in the genetically modified corn may have "altered the surface of the bee's intestines, sufficiently weakening the bees to allow the parasites to gain entry -..."
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*Brain Behav Immun.* 2006 Mar;20(2):135-8. Epub 2005 Aug 9.  
Insect psychoneuroimmunology: immune response reduces learning in protein starved bumblebees (*Bombus terrestris*).  
Riddell CE, Mallon EB.  
Department of Biology, University of Leicester, UK.

There is evidence that protein is intricately involved as this immune induced reduction in memory only becomes apparent after the bees are deprived of pollen (their only protein sources)".

PMID: 16084688 [PubMed - indexed for MEDLINE]

- Ref E

Proc Biol Sci. 2003 Dec 7;270(1532):2471-3.

Immune response inhibits associative learning in insects.

Mallon EB, Brockmann A, Schmid-Hempel P.

Ecology and Evolution, ETH Zürich, ETH-Zentrum NW, CH-8092 Zürich, Switzerland.

Here, we present behavioural evidence indicating a link between the immune system and the nervous system in insects. The cost of an immune response therefore not only affects survival of the host, as previously shown, but also everyday behaviour and memory formation.

PMID: 14667337 [PubMed - indexed for MEDLINE]

Related Links

Insect psychoneuroimmunology: immune response reduces learning in protein starved bumblebees (*Bombus terrestris*).

[Brain Behav Immun. 2006] PMID:16084688

- Ref F

Social learning of floral odors inside the honeybee hive. [Proc Biol Sci. 2005]

PMID:16191598

- Ref G

Science and Development Network News

Mexico confirms GM maize contamination

Katie Mantell 19 April 2002

<http://www.scidev.net/News/index.cfm?fuseaction=readNews&itemid=145&language=1>

Quote: The Mexican government has confirmed earlier reports that transgenic maize is growing within the country's borders and has apparently contaminated wild varieties, despite a national ban on the cultivation of genetically modified (GM) crops. A government-commissioned study has shown that as many as 95 per cent of maize fields in the Mexican states of Oaxaca and Pueblo contain evidence of GM 'contamination'.

- Ref H

[http://en.wikipedia.org/wiki/Horizontal\\_gene\\_transfer](http://en.wikipedia.org/wiki/Horizontal_gene_transfer)

Lateral gene transfer (LGT), is any process in which an organism transfers genetic material to another cell that is not its offspring.

<http://www.i-sis.org.uk/isisnews/i-sisnews5.php#hori>

- Ref I

The only human clinical trial showed that transgenes from soy transfer into intestinal bacteria.

Netherwood, et al (2 February 2004) Assessing the survival of transgenic plant DNA in the human gastrointestinal tract, Nature Biotechnology, Vol 22 Number.

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Nature, November 29 issue 2001,

David Quist and Ignacio Chapela, University of California

Quote: "showed that DNA from GM maize had been found in wild varieties"

Lateral Gene Transfer.

- Ref K

Proc Natl Acad Sci U S A. 2007 Oct 9;104(41):16204-8. Epub 2007 Oct 8.

Toxins in transgenic crop byproducts may affect headwater stream ecosystems.

Rosi-Marshall EJ, Tank JL, Royer TV, Whiles MR, Evans-White M, Chambers C,

Griffiths NA, Pokelsek J, Stephen ML.

Department of Biology, Loyola University Chicago, Chicago, IL 60626, USA.  
erosi@luc.edu

We show that corn byproducts, such as pollen and detritus, enter headwater streams and are subject to storage, consumption, and transport to downstream water bodies. Laboratory feeding trials showed that consumption of Bt corn byproducts reduced growth and increased mortality of nontarget stream insects. Stream insects are important prey for aquatic and riparian predators, and widespread planting of Bt crops has unexpected ecosystem-scale consequences.

PMID: 17923672 [PubMed - indexed for MEDLINE]

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Department of Horticulture and Landscape Architecture  
Purdue University, West Lafayette, IN USA
- REF M  
Scientist who claimed GM crops could solve Third World hunger admits he got it wrong  
[http://www.dailymail.co.uk/pages/live/articles/technology/technology.html?in\\_article\\_id=503339&in\\_page\\_id=1965&ito=1490](http://www.dailymail.co.uk/pages/live/articles/technology/technology.html?in_article_id=503339&in_page_id=1965&ito=1490)  
18 December 2007
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Guerrero GG, Russell WM, Moreno-Fierros L.  
Universidad Nacional de MÃ©xico.  
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[Return to Dan Winter](#)  
[Return to Genetically  
Engineered Foods](#)  
[Return to 'Who' or 'What' is Killing The  
Bees?](#)  
[Return to Monsanto - A Multinational  
Factory of Death](#)

## Doctors Warn: Avoid Genetically Modified Food

By Jeffrey M. Smith

On May 19<sup>th</sup>, the American Academy of Environmental Medicine (AAEM) called on "Physicians to educate their patients, the medical community, and the public to avoid GM (genetically modified) foods when possible and provide educational materials concerning GM foods and health risks."<sup>[1]</sup> They called for a moratorium on GM foods, long-term independent studies, and labeling. AAEM's position paper stated, "Several animal studies indicate serious health risks associated with GM food," including infertility, immune problems, accelerated aging, insulin regulation, and changes in major organs and the gastrointestinal system. They conclude, "There is more than a casual association between GM foods and adverse health effects. There is causation," as defined by recognized scientific criteria. "The strength of association and consistency between GM foods and disease is confirmed in several animal studies."

More and more doctors are already prescribing GM-free diets. Dr. Amy Dean, a Michigan internal medicine specialist, and board member of AAEM says, "I strongly recommend patients eat strictly non-genetically modified foods." Ohio allergist Dr. John Boyles says "I used to test for soy allergies all the time, but now that soy is genetically engineered, it is so dangerous that I tell people never to eat it."

Dr. Jennifer Armstrong, President of AAEM, says, "Physicians are probably seeing the effects in their patients, but need to know how to ask the right questions." World renowned biologist Pushpa M. Bhargava goes one step further. After reviewing more than 600 scientific journals, he concludes that genetically modified organisms (GMOs) are a major contributor to the sharply deteriorating health of Americans.

## **Pregnant Women And Babies At Great Risk**

Among the population, biologist David Schubert of the Salk Institute warns that "children are the most likely to be adversely effected by toxins and other dietary problems" related to GM foods. He says without adequate studies, the children become "the experimental animals."[\[2\]](#)

The experience of *actual* GM-fed experimental animals is scary. When GM soy was fed to female rats, most of their babies died within three weeks—compared to a 10% death rate among the control group fed natural soy.[\[3\]](#) The GM-fed babies were also smaller, and later had problems getting pregnant.[\[4\]](#)

When male rats were fed GM soy, their testicles actually changed color—from the normal pink to dark blue.[\[5\]](#) Mice fed GM soy had altered young sperm.[\[6\]](#) Even the embryos of GM fed parent mice had significant changes in their DNA.[\[7\]](#) Mice fed GM corn in an Austrian government study had fewer babies, which were also smaller than normal.[\[8\]](#)

Reproductive problems also plague livestock. Investigations in the state of Haryana, India revealed that most buffalo that ate GM cottonseed had complications such as premature deliveries, abortions, infertility, and prolapsed uteruses. Many calves died. In the US, about two dozen farmers reported thousands of pigs became sterile after consuming certain GM corn varieties. Some had false pregnancies; others gave birth to bags of water. Cows and bulls also became infertile when fed the same corn.[\[9\]](#)

In the US population, the incidence of low birth weight babies, infertility, and infant mortality are all escalating.

## **Food Designed To Produce Toxin**

GM corn and cotton are engineered to produce their own built-in pesticide in every cell. When bugs bite the plant, the poison splits open their stomach and kills them. Biotech companies claim that the pesticide, called Bt—produced from soil bacteria *Bacillus thuringiensis*—has a history of safe use, since organic farmers and others use Bt bacteria spray for natural insect control. Genetic engineers insert Bt genes into corn and cotton, so the plants do the killing.

The Bt-toxin produced in GM plants, however, is thousands of times more concentrated than natural Bt spray, is designed to be *more* toxic,[\[10\]](#) has properties of an allergen, and unlike the spray, cannot be washed off the plant.

Moreover, studies confirm that even the less toxic natural bacterial spray is harmful. When dispersed by plane to kill gypsy moths in the Pacific Northwest, about 500 people reported allergy or flu-like symptoms. Some had to go to the emergency room.[\[11\]](#),[\[12\]](#)

The exact same symptoms are now being reported by farm workers throughout India, from handling Bt cotton.[\[13\]](#) In 2008, based on medical records, the *Sunday India* reported, "Victims of itching have increased massively this year...related to BT cotton farming."[\[14\]](#)

## Gmos Provoke Immune Reactions

AAEM states, "Multiple animal studies show significant immune dysregulation," including increase in cytokines, which are "associated with asthma, allergy, and inflammation"—all on the rise in the US.

According to GM food safety expert Dr. Arpad Pusztai, changes in the immune status of GM animals are "a consistent feature of all the studies."[\[15\]](#) Even Monsanto's own research showed significant immune system changes in rats fed Bt corn.[\[16\]](#) A November 2008 by the Italian government also found that mice have an immune reaction to Bt corn.[\[17\]](#)

GM soy and corn each contain two new proteins with allergenic properties,[\[18\]](#) GM soy has up to seven times more trypsin inhibitor—a known soy allergen,[\[19\]](#) and skin prick tests show some people react to GM, but not to non-GM soy.[\[20\]](#) Soon after GM soy was introduced to the UK, soy allergies skyrocketed by 50%. Perhaps the US epidemic of food allergies and asthma is a casualty of genetic manipulation.

## Animals Dying In Large Numbers

In India, animals graze on cotton plants after harvest. But when shepherds let sheep graze on Bt cotton plants, thousands died. Post mortems showed severe irritation and black patches in both intestines and liver (as well as enlarged bile ducts). Investigators said preliminary evidence "strongly suggests that the sheep mortality was due to a toxin....most probably Bt-toxin."[\[21\]](#) In a small follow-up feeding study by the Deccan Development Society, all sheep fed Bt cotton plants died within 30 days; those that grazed on natural cotton plants remained healthy.

In a small village in Andhra Pradesh, buffalo grazed on cotton plants for eight years without incident. On January 3<sup>rd</sup>, 2008, the buffalo grazed on Bt cotton plants for the first time. All 13 were sick the next day; all died within 3 days.[\[22\]](#)

Bt corn was also implicated in the deaths of cows in Germany, and horses, water buffaloes, and chickens in The Philippines.[\[23\]](#)



In lab studies, twice the number of chickens fed Liberty Link corn died; 7 of 20 rats fed a GM tomato developed bleeding stomachs; another 7 of 40 died within two weeks.<sup>[24]</sup> Monsanto's own study showed evidence of poisoning in major organs of rats fed Bt corn, according to top French toxicologist G. E. Seralini.<sup>[25]</sup>

## **Worst Finding Of All—GMOs Remain Inside Of Us**

The only published human feeding study revealed what may be the most dangerous problem from GM foods. The gene inserted into GM soy transfers into the DNA of bacteria living inside our intestines *and continues to function*.<sup>[26]</sup> This means that long after we stop eating GMOs, we may still have potentially harmful GM proteins produced continuously inside of us. Put more plainly, eating a corn chip produced from Bt corn might transform our intestinal bacteria into living pesticide factories, possibly for the rest of our lives.

When evidence of gene transfer is reported at medical conferences around the US, doctors often respond by citing the huge increase of gastrointestinal problems among their patients over the last decade. GM foods might be colonizing the gut flora of North Americans.

## **Warnings By Government Scientists Ignored And Denied**

Scientists at the Food and Drug Administration (FDA) had warned about all these problems even in the early 1990s. According to documents released from a lawsuit, the scientific consensus at the agency was that GM foods were inherently dangerous, and might create hard-to-detect allergies, poisons, gene transfer to gut bacteria, new diseases, and nutritional problems. They urged their superiors to require rigorous long-term tests.<sup>[27]</sup> But the White House had ordered the agency to promote biotechnology and the FDA responded by recruiting Michael Taylor, Monsanto's former attorney, to head up the formation of GMO policy. That policy, which is in effect today, denies knowledge of scientists' concerns and declares that no safety studies on GMOs are required. It is up to Monsanto and the other biotech companies to determine if their foods are safe. Mr. Taylor later became Monsanto's vice president.

## **Dangerously Few Studies, Untraceable Diseases**

AAEM states, "GM foods have not been properly tested" and "pose a serious health risk." Not a single human clinical trial on GMOs has been published. A 2007 review of published scientific literature on the "potential toxic effects/health risks of GM plants" revealed "that experimental data are very scarce." The author concludes his review by asking, "Where is the scientific evidence showing that GM plants/food are toxicologically safe, as assumed by the biotechnology companies?"<sup>[28]</sup>

Famed Canadian geneticist David Suzuki answers, "The experiments simply haven't been done and we now have become the guinea pigs." He adds, "Anyone that says, 'Oh, we know that this is perfectly safe,' I say is either unbelievably stupid or deliberately lying."<sup>[29]</sup>

Dr. Schubert points out, "If there are problems, we will probably never know because the cause will not be traceable and many diseases take a very long time to develop." If GMOs *happen* to cause immediate and acute symptoms with a unique signature, perhaps then we might have a chance to trace the cause.

This is precisely what happened during a US epidemic in the late 1980s. The disease was fast acting, deadly, and caused a unique measurable change in the blood—but it still took more than four years to identify that an epidemic was even occurring. By then it had killed about 100 Americans and caused 5,000-10,000 people to fall sick or become permanently disabled. It was caused by a genetically engineered brand of a food supplement called L-tryptophan.

If other GM foods are contributing to the rise of autism, obesity, diabetes, asthma, cancer, heart disease, allergies, reproductive problems, or any other common health problem now plaguing Americans, we may never know. In fact, since animals fed GMOs had such a wide variety of problems, susceptible people may react to GM food with multiple symptoms. It is therefore telling that in the first nine years after the large scale introduction of GM crops in 1996, the incidence of people with three or more chronic diseases nearly doubled, from 7% to 13%.[\[30\]](#)

To help identify if GMOs are causing harm, the AAEM asks their "members, the medical community, and the independent scientific community to gather case studies potentially related to GM food consumption and health effects, begin epidemiological research to investigate the role of GM foods on human health, and conduct safe methods of determining the effect of GM foods on human health."

Citizens need not wait for the results before taking the doctor's advice to avoid GM foods. People can stay away from anything with soy or corn derivatives, cottonseed and canola oil, and sugar from GM sugar beets—unless it says organic or "non-GMO." There is a pocket [Non-GMO Shopping Guide](#), co-produced by the Institute for Responsible Technology and the Center for Food Safety, which is available as a download, as well as in natural food stores and in many doctors' offices.

If even a small percentage of people choose non-GMO brands, the food industry will likely respond as they did in Europe—by removing *all* GM ingredients. Thus, AAEM's non-GMO prescription may be a watershed for the US food supply.

International bestselling author and independent filmmaker Jeffrey M. Smith is the Executive Director of the Institute for Responsible Technology and the leading spokesperson on the health dangers of GMOs. His first book, *Seeds of Deception* is the world's bestselling book on the subject. His second, *Genetic Roulette: The Documented Health Risks of Genetically Engineered Foods*, identifies 65 risks of GMOs and demonstrates how superficial government approvals are not competent to find most of them. He invited the biotech industry to respond in writing with evidence to counter each risk, but correctly predicted that they would refuse, since they don't have the data to show that their products are safe.

from May 2009 *Spilling the Beans* newsletter

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## **Ethan A. Huff**

[Natural News](#)

March 5, 2012

(Natural News) A new study out of Switzerland confirms once again that *Bacillus thuringiensis* (Bt) toxin, the nefarious pesticide produced by certain genetically-modified (GM) crops, is harming non-target species. Published in the journal *Environmental Sciences Europe*, the study reveals that two-spotted ladybird (*Adalia bipunctata* L.) larvae exposed to Bt toxin experience a much higher mortality rate than those not exposed (<http://www.enveurope.com/content/24/1/10/abstract>).

Contrary to repeated claims made by Monsanto and other biotechnology industry players about the supposed safety of Bt toxin for non-target species, this new independent study reveals otherwise. It also exposes the illegitimacy of the various industry-funded studies that claim Bt toxin is safe for non-target species, including humans, an unfounded claim that has been proven false time and time again.

The new research, conducted by Dr. Angelika Hilbeck and her colleagues from the *Swiss Federal Institute of Technology* in Zurich, was actually a follow-up to previous research on ladybird larvae and Bt toxin conducted back in 2009. Pro-GM talking heads had tried, but failed, to discredit this earlier research, which was published in the journal *Archives of Environmental Contamination and Toxicology* (<http://www.springerlink.com/content/4317km7733582u32/>).

## **Independent research consistently demonstrates dangers of GMOs**

But Dr. Hilbeck's new study, which was not funded by the pro-GM lobby, confirmed the findings of the 2009 study. And in the interest of promoting sound science, she and various others who recognize the very real dangers associated with GM crops, and Bt toxin in particular, are now calling out those who continue to deny reality by insisting that Bt toxin is safe.

“It is time to move beyond the rather ‘dogmatic denial’ and ‘shooting the messenger’ stages of the debate and onto the more mature stage of scientific discourse where a meaningful examination of scientific ‘surprises’ dominates the discussion,” said David Gee, a senior science adviser on science, policy, and emerging issues to the *European Environmental Agency* (EAE) recently.

The EAE, of course, has formed many of its GMO policies based on flawed, industry-funded GMO studies. So Gee and others are urging the agency to begin looking at independent research on GMOs, which tells a far different story than the one being peddled by the likes of Monsanto and the pro-GM American government.

“We do not need biosafety research embedded in the visions of the biotechnology industry that supports unsustainable industrialized agriculture,” added Professor Brian Wynne from the U.K. *Centre for Economic and Social Aspects of Genomics at Lancaster University*. “Instead, we need independent research like Hilbeck’s which assesses the specific environmental effects of genetic engineering, uses sensitive methodologies and helps indicate the potentially damaging effects on biodiversity as well as on agricultural diversity, of the industrial production systems which GM agriculture only intensifies.”

**Sources for this article include:**

<http://www.ensser.org/media/0112>

**kawakami2 - Rise**

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**Sent:** Monday, February 11, 2013 10:05 PM  
**To:** CPCtestimony  
**Cc:** JMCCAY@HOTMAIL.COM  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/11/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
James McCay	Individual	Support	No

Comments: Aloha, I strongly support this bill HB 174 as I want to know what I am eating. I hope you feel the same! Much Aloha and Malama Pono, James McCay 2957 Kalakaua Ave, Honolulu HI 96815 808 321 0027

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**Sent:** Monday, February 11, 2013 10:15 PM  
**To:** CPCtestimony  
**Cc:** mariyakai@gmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/11/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mariya Gold	Individual	Support	No

Comments: Please support this bill. For your health, for our health and for the health of our environment as a whole. Mahalo!

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11 February 2013

**Re: Testimony in support of HB174 Relating to Food Labeling**

Aloha Chair McKelvey, Vice Chair Kawakami, and the Committee,

I reiterate my support for HB 174 even in its amended form. I am one of those who marched to the State Capitol on opening day to help let you know how important it is to label GMO foods.

As I pointed out in my previous testimony the growing popular movement for labeling GMOs cuts across a broad demographic in terms of religion, culture, age, ethnicity, and socio economic status. Few movements in Hawaii's history have experienced such broad public support.



Additionally, I point out that as many others will mention, it is clearly a consumer right-to-know issue, and in its current limited scope will provide useful information to the consumer. Additionally, there will be no penalty imposed on our local producers.

Mahalo for your public service,

H. Doug Matsuoka  
hdoug@mac.com



## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 11, 2013 11:48 PM  
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**Cc:** pollioliver@hotmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/11/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Polli Oliver	Individual	Support	No

Comments: Labeling of GMO products is beyond "Way over due". People should be given the right to know what foods are genetically modified or not. This bill is at least a beginning and is very much welcomed and appreciated. I hope you will support the passage of this bill. Mahalo.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Aloha,

I am writing on behalf of my family and children who are not able to speak up and protect themselves from harmful toxins being used on our island of Kaua'i. I strongly support labeling all GMO foods. We should know what we are eating and have the CHOICE to purchase foods that are NON-GMO. Please do what's right and pono for our island and the people of Kaua'i.

HB 174 - GMO Labeling Bill -I SUPPORT THIS BILL

Requires all imported genetically engineered fresh produce sold in Hawaii to be labeled as "genetically engineered". Requires disclosure of genetic engineering and compliance with recommendations of the Invasive Species Council upon import.

Mahalo Nui,

Malia Vasallo

Feb. 12, 2013

Testimony of Wynn Hee in reluctant Support of HB174, HD1, HSCR253  
RELATING TO FOOD LABELING

Chair Wooley, Vice-Chair Onishi, and Members of the House Committee on  
Agriculture:

I find it ironic that Japan will buy Hawaii papayas only if they are labeled GMO, but our papaya industry, which depends largely on exports, is afraid that local people will not buy the papayas if they are labeled GMO.

They needn't worry: Hawaii is known as the SPAM capitol of the world. Consumers who love Spam are not going to care if local and imported produce and papayas are genetically engineered or not.

By refusing to allow local GMO produce to be labeled as such, it only makes more consumers wonder what growers of GMOs are trying to hide.

I had been going out of my way to buy Kamiya papayas at Don Quixote or Foodland - only to discover later that they too were genetically modified, not just the UH Rainbow variety! That was a dirty trick!

Yes, I do ask the produce sellers at farmers' markets, "Is this GMO?" A lot of times their answers are vague: "I don't think so..." or "I'm not sure..." One time a seller told me "no," it wasn't GMO, but from his body language, I could tell he was lying! Why does Hawaii-grown GMO produce have to be "top secret" at Hawaii Farm Bureau Federation's markets. What is HFBF president and GMO lobbyist Dean Okimoto trying to hide?

I want to support our local farmers, and I thought you legislators heard my cry: I want to know what I am buying and eating.

Instead, you heeded the cries of GMO lobbyists and the papaya industry.

GMO lobbyist and campaign donor Alicia Maluafiti testified that consumers like me should just go shop at Whole Foods or Down to Earth, even if a lot of organic food is imported. She was telling people like me NOT to shop at our local farmers' markets and grocery stores. Is that what you, our lawmakers, want?

I am disappointed that this bill only requires imported genetically engineered whole foods to be labeled GM. But thanks for at least throwing me that small bone to gnaw on.

I hope you will amend this version of HB174 and include labeling of local as well as imported fresh produce. Thank you for letting me squeak up.

## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 1:25 AM  
**To:** CPCtestimony  
**Cc:** Psgegen@hotmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Patrick Gegen	Individual	Support	No

Comments: Please pass this bill and allow the citizens of Hawai'i to be able to make informed decisions regarding their health and nutritional choices. Don't we all want to know what we are putting into our bodies? Thank you.

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 2:10 AM  
**To:** CPCtestimony  
**Cc:** barb@punapono.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Barbara Cuttance	Individual	Support	No

Comments: We need labeling on GMO food....we need the choice to purchase non GMO and the burden of labeling should be on the GMO producers.

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## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 4:56 AM  
**To:** CPCtestimony  
**Cc:** Kelseyoa@yahoo.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kelsey Molina	Individual	Support	No

Comments: The future of the Hawai'i and all of the world will forever change if we do not take control and stop GMO crops and animals from being imported and created. As consumers, it is critical that food products be labeled so we can stop feeding those poisons to our families.

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 6:02 AM  
**To:** CPCtestimony  
**Cc:** hunakai5@aol.com  
**Subject:** \*Submitted testimony for HB174 on Feb 13, 2013 14:30PM\*

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kelly Perry	Individual	Support	No

Comments:

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2013 February 12, Tuesday

***House Bill #174***                      **Relating to Food Labeling.**

***Position:***                              **Oppose**

***Submitted By:***                      Robert Paull  
5393 Poola Street  
Honolulu, HI 96821  
<robert.paull@hawaii.rr.com>

***Testimony:***

I have been a Professor at the University of Hawaii at Manoa for more than thirty years in the area of crop production and plant sciences. This testimony is submitted as a private citizen and voter, and not as a representative of the University.

The Food and Drug Administration **does not** require labeling of genetically engineered food as there is no scientific evidence that these food are not as safe as food produced through other plant breeding methods. The US labeling laws are built on the basis of being truthful and not misleading. Food labeling laws need to be set by the Federal government, not state by state.

Anyone can now label food “GMO Free” if that label is truthful. If a food was so label then Hawaii consumers would be able to make a choice based upon accurate labeling.

This Bill is dishonest and misleading. It states first that food derived from genetic engineering should be labeled “genetically engineered” then it grants an exemption for Hawaii grown produce and food grown without knowing and intentionally use of genetically engineered seed or food, or organically grown. These exemptions mean that a consumer “RIGHT” to know if a product contains genetically engineered material is being trampled upon. This failure to label products covered by these exemptions would be contrary to the intent of section 328-6 Prohibited Acts - adulteration and **misbranding**.

The scientific consensus is that currently available genetically engineered foods are safe for human consumption and do not impose any greater risk to the environment than varieties developed through other breeding methods. This is backed by Scientific Academies and Academic Institutes from around the world. In the US, genetic engineered foods are regarded as safe by the American College of Nutrition, American Council on Science and Health, American Dietetic Association, American Institute of Biological Science, American Medical Association, American Society for Microbiology, American Society of Plant Biologists, Institute of Food Science and Technology and National Academy of Science of the USA to name a few. Hawaii’s food labeling laws should be based upon scientific evidence not fear and ignorance, and ideology.

The cost of this measure to Hawaii’s consumers and to the State to police this law has clearly not been taken into account in drafting this bill.



## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 6:25 AM  
**To:** CPCtestimony  
**Cc:** joshuacooperhawaii@gmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joshua Cooper	Individual	Support	No

Comments: Aloha It is vital for people to be able to choose what they desire to consumer. If we are so concerned about health and have all of the nutrition content provided. We should also know if a food product is genetically engineered. Please pass this important legislation so people can choose what they desire to consume.

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 6:30 AM  
**To:** CPCtestimony  
**Cc:** normandsusieh@yahoo.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Susan Heitmann	Individual	Support	No

Comments: We wish for all imported GMO foods to be labeled! A growing number of us wish to avoid them at all costs. Please honour our right to know. Thank you!

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 6:32 AM  
**To:** CPCtestimony  
**Cc:** sabra.basler@gmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sabra Basler	Individual	Support	No

Comments: PLEASE SUPPORT this bill . I want food labeled so I can know what I am purchasing and can make decisions based accordingly. Thank you, Sabra Basler, Kalaheo, Kauai

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 6:57 AM  
**To:** CPCtestimony  
**Cc:** earlewave@hawaiiantel.net  
**Subject:** \*Submitted testimony for HB174 on Feb 13, 2013 14:30PM\*

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
danitza galvan	Individual	Support	No

Comments:

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 7:05 AM  
**To:** CPCtestimony  
**Cc:** kekahabarb@msn.com  
**Subject:** \*Submitted testimony for HB174 on Feb 13, 2013 14:30PM\*

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Barbara Childers	Individual	Support	No

Comments:

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## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 7:08 AM  
**To:** CPCtestimony  
**Cc:** kevink59@gmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kevin Kelly	Individual	Oppose	No

Comments: I understand that there is pressure on the legislature to pass a GMO labeling bill and am continually amazed that this legislation keeps coming up for reconsideration. This issue along with it accompanying legislation has been presented to the legislature many times over the past several years. Senate and/or House committees have graciously heard testimony on these bills however no version of this legislation has ever moved out of committee. And with good reason. This bill attempts to codify into law the personal food preferences of some fringe groups on to the entire population with selfish disregard to the economic impact it may have on consumers and farmers across the state. These groups continue to pretend that GE foods somehow put the public at risk when in fact there is no evidence to support that fear. For 20 years American has enjoyed the benefits of GE crops; increased yields that keep prices low for consumers, significant decrease in the use of pesticides which ARE toxic and a decrease in the cost of farming that helps keep Americans on the farms. The result of this technology is the production of high quality foods that the FDA and most scientists agree, are essentially the same as conventionally grown crops. The most significant argument however is that there is not one case of a person becoming ill or having an adverse reaction to GE food. It just doesn't happen. If there was a potential harm from GE food consumption, someone, somewhere would have gotten sick. But with trillions of servings of these products consumed, I have to believe they are safe and do not require expensive custom labeling only in Hawaii. The bottom line it that this proposed legislation does nothing to improve public safety or promote public health and it will negatively impact the citizens of the state especially in our rural communities. Thank you for your consideration and please strike this bill from your legislative package. Aloha, Kevin Kelly

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## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 7:10 AM  
**To:** CPCtestimony  
**Cc:** dasajabaca@hotmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Samme Albano	Individual	Comments Only	No

Comments: It is very important for the genetically altered produce to be labeled in Hawaii. On Kauai we have the highest cancer rates in the state, and since GMO foods are known to cause cancer, it is important that the people of Hawaii can make informed choices when it comes to buying food. Other countries forbid GMO foods because of all the health problems they cause in their livestock (cows, and pigs) it increases the incidence of premature birth and birth defects. As a nurse I find it totally unacceptable to be feeding these foods to our pregnant women, keiki and kupuna. All GMO foods whether packaged or fresh should be labeled, but this bill is a start. Thank you

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 7:17 AM  
**To:** CPCtestimony  
**Cc:** cravegreens@gmail.com  
**Subject:** \*Submitted testimony for HB174 on Feb 13, 2013 14:30PM\*

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Crystal Homcy	Individual	Support	No

Comments:

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 7:27 AM  
**To:** CPCtestimony  
**Cc:** adair@fincher.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Adair Fincher	Individual	Support	No

Comments: I support this bill, although I do not support the decision to move the bill date to 2050.

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## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 7:28 AM  
**To:** CPCtestimony  
**Cc:** whaleinn@hotmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Stephanie Whalen	Individual	Oppose	No

Comments: HI I strongly oppose HB174HD1 as practically speaking does nothing. The produce in this country is not genetically modified because the regulation process is too onerous. The major agribusiness companies provide new technology to commodity crops (high volume) in order to recoup their research and investment costs just like other businesses do with their newly developed products. Produce is low volume and high risk. It takes decades for new technologies to reach the low volume players in the agricultural sector. In my opinion this has passed the first committee as a pacifier to the activists. There are no health and safety issues involved only philosophical. Please rise above this level and vote NO on this measure.

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## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 7:28 AM  
**To:** CPCtestimony  
**Cc:** susan.weinhardt@doh.hawaii.gov  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Susan Weinhardt	Individual	Support	No

Comments: Consumers have a right to know what they are purchasing and whether it is safe. if any produce has been altered from its natural form. Genetically engineered produce may contain carcinogenic byproducts that may be harmful to health.

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 7:40 AM  
**To:** CPCtestimony  
**Cc:** elwenfreitas@gmail.com  
**Subject:** \*Submitted testimony for HB174 on Feb 13, 2013 14:30PM\*

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elwen Freitas	Individual	Support	No

Comments:

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 7:44 AM  
**To:** CPCtestimony  
**Cc:** taylork021@hawaii.rr.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ken Taylor	Individual	Support	No

Comments: way over do

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 8:44 AM  
**To:** CPCtestimony  
**Cc:** Gabrielaorantes@gmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gabriela Orantes	Individual	Support	No

Comments: I am a concerned citizen who places great value on the health of the land and its impact on animal and human life. I am concerned that the process of genetically modifying food has been far less examined from a cultural and value based perspective and more from a profit-based standpoint instead. This has led to the assumption that all GMOs are safe and the best way to solve hunger around the world. I disagree. Without going further into who is right or wrong about GMOs and their impact on plant, animal and human life, I'd like to express my strong support for the labeling of all GMOs. For that reason, I am satisfied that HB174 begins to address this issue by at least requiring all imported genetically engineered fresh produce sold in Hawaii to be labeled as "genetically engineered". I support this effort and urge the committee to support it as well. Thank you, Gabriela Orantes

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## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 8:49 AM  
**To:** CPCtestimony  
**Cc:** kuala@aloha.net  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marty Kuala	Individual	Support	No

Comments: Please support this bill. We have a right to know what we are eating. If a large store like Costco can voluntarily label their food so can other companies. I would gladly pay a little more for food I knew was safe to eat.

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 8:50 AM  
**To:** CPCtestimony  
**Cc:** daylinrose.gibson@gmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Daylin-Rose Gibson	Individual	Support	No

Comments: I support HB 174 without amendments.

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 8:57 AM  
**To:** CPCtestimony  
**Cc:** hanakapi'ai@hotmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Hanakapi'ai Grosse	Individual	Support	No

Comments: GMOs are poisoning the world, not feeding it!! Let's help HI be a leading example of labeling the foods that contain these toxic substances!! All we want is to know what's in our food!!

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 9:11 AM  
**To:** CPCtestimony  
**Cc:** gizmograpix@yahoo.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tommy Cook	Individual	Support	No

Comments: I would very much like to have GMO's identified on the label of any and all foods I buy

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 9:11 AM  
**To:** CPCtestimony  
**Cc:** lkukona@hawaii.edu  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lindsay Kukona	Individual	Support	No

Comments: I support HB 174 because I believe that it is the consumer's right to know the type of food we are eating.

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 9:11 AM  
**To:** CPCtestimony  
**Cc:** skmfreitas@gmail.com  
**Subject:** \*Submitted testimony for HB174 on Feb 13, 2013 14:30PM\*

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sharde Mersberg Freitas	Individual	Support	No

Comments:

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## kawakami2 - Rise

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**From:** DPBartholomew [dpbartholomew@yahoo.com]  
**Sent:** Tuesday, February 12, 2013 9:13 AM  
**To:** CPCtestimony  
**Subject:** In opposition to HB 174 HD 1

I oppose HB 174 HD 1.

HB 174 HD 1 is a bad bill and bad state policy.

All scientifically sound studies show there is no more risk to consuming GM foods than there is to consuming conventionally bred crops. In fact, GM crops are likely to be safer than conventionally bred crops because the genetic changes in those crops are precisely known. Conventional plant breeding is an imprecise "shotgun" approach that introduces many genes that are never characterized, yet no labeling requirements are imposed on such crops.

Voters in the State of California, one of Hawaii's largest markets, have voted against labeling of GM foods. Farmers are overwhelmingly in favor of GM crops because yields are increased and the need for pesticides and fuel to control weeds by cultivation are reduced. GM crops are more sustainable and kinder to the environment than conventional crops.

HB 174 HD 1 is anti science and anti consumer because there is no greater risk of consuming GM foods than there is of consuming crops produced by conventional breeding. If anything, risks are reduced. The costs of labeling of GM foods just for Hawaii markets will impose another cost burden on the citizens of the state and could put Hawaii farmers and their export markets at risk.

Please do not let fear mongering trump science. Kill HB 174 HD 1.

Sincerely yours,

Duane P. Bartholomew  
518 Kaumakani St.  
Honolulu, HI 96825  
808-395-3317

## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 9:18 AM  
**To:** CPCtestimony  
**Cc:** kat.fish@live.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kathy Haskins	Individual	Oppose	No

Comments: Our taxes are too high already and the availability of consumables is already difficult, please do not make it even harder and more expensive for us to feed our families. • HB 174 HD 1 is a bad bill and bad state policy. California voters already said "NO" to food labeling. Hawaii lawmakers should do the same. • HB 174 HD 1 is a Trojan Horse that will still cost Hawaii tax payers millions when the state tries to enforce a worthless and unnecessary labeling mandate on imported produce. Elected officials should not let fear mongering trump science. • HB 174 HD 1 puts our Hawaii farmers and their export markets at risk! If Hawaii passes this law, other states WILL follow by passing labeling mandates on imported Hawaii produce! Our small papaya farmers would be the first to suffer

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 9:30 AM  
**To:** CPCtestimony  
**Cc:** jamieashley@hawaiiantel.net  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jamie Wiegand	Individual	Comments Only	No

Comments: For the sake of our future, our children's health and future, we need GMO labeling now.

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 9:32 AM  
**To:** CPCtestimony  
**Cc:** fernnygirl@yahoo.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Fern Holland	Individual	Support	No

Comments: As a family we work very hard to identify what is in our food and whether gmo ingredients have been included in what we are eating. It is very difficult to know for sure or to be clear as to what these experimental crops have been included in. PLEASE pass this bill so that me and my family and friends can know what they are eating and choose to avoid these crops if desired. Mahalo!!

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 9:35 AM  
**To:** CPCtestimony  
**Cc:** TAI\_BRAN@MSN.COM  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
TAI-LI MEDEIROS	Individual	Oppose	No

Comments: I strongly oppose this bill. This will cost Hawaii tax payers millions if an unnecessary mandate is made on imported produce. Please kill bill HB174 HD1.

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 9:51 AM  
**To:** CPCtestimony  
**Cc:** mauka\_man808@yahoo.com  
**Subject:** \*Submitted testimony for HB174 on Feb 13, 2013 14:30PM\*

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rob Bueller	Individual	Support	No

Comments:

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 10:05 AM  
**To:** CPCtestimony  
**Cc:** susiehawkes@gmail.com  
**Subject:** \*Submitted testimony for HB174 on Feb 13, 2013 14:30PM\*

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
susan hawkes	Individual	Support	No

Comments:

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February 12, 2013

To: Representative, Jessica Wooley, Chair  
Representative, Richard H.K. Onishi, Vice-Chair  
House Committee on Agriculture

From: Amelia J.F. Jose

Re: HB 174 RELATING TO FOOD LABELING

Honorable Chair & Committee Members:

I support HB174. As a consumer of these food products I have a right to know what my family and I are consuming. I understand there is much conflict on the issue of food labeling but please consider those who this will affect in the long run; me, my two young girls (8 & 3 years) and others around the state that buy produce from outside of Hawai'i.

Similar with other food products food must be labeled; it is then the consumer's decision to buy a product or not. I believe it should be my choice to purchase a product that has been genetically modified or not. Please allow me and others to make the decision to purchase the food that suits them in the store, it is OUR right to know!

Thank you for the opportunity to submit testimony in support of HB174.

Amelia J.F. Jose  
84-1120 Hana St.  
Waianae, HI 96792

## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 10:19 AM  
**To:** CPCtestimony  
**Cc:** hokuokekai50@msn.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mary Lacques	Hawai'i SEED	Support	No

Comments: Aloha Chair McKelvey, Vice-Chair Kawakami and Members of the Consumer Protection and Commerce Committee, mahalo for the opportunity to testify in support of HB174 which would require mandatory labeling of genetically engineered (GE) foods in the State of Hawai'i. My name is Mary Lacques and I am a member of Hawai'i SEED and Label It Hawai'i. We strongly support the passage of HB174 because consumers have a right to know what they are feeding themselves and their families. According to a national poll conducted by the Mellman Group in February of 2012, 91 percent of Americans polled favored the labeling of genetically engineered foods. The most significant aspect of this study was that these results were consistent within two percentage points among Republicans, Independents and Democrats. A 2007 survey conducted by the University of Hawai'i found that 72 percent of Hawai'i residents said the labeling of GE foods was "very important". Residents of Hawai'i are asking to be guaranteed the same right as sixty countries that require the labeling of these transgenic, novel life forms that have been present in our food supply for the last seventeen years. You will undoubtedly hear from concerned citizens about the myriad list of environmental and health concerns that have been attributed to the ingestion and cultivation of GE products. I ask that you honor the efforts of our elected officials at the national level that have supported labeling of genetically engineered foods since 1999, when the late Congresswoman Patsy Mink signed on to support a recommendation to the Food and Drug Administration to label GE food. Hawai'i SEED supports sustainable, agroecological food and farming techniques that respect the traditional Hawaiian ahupua'a system of working with the land as opposed to efforts to modify and manipulate the land. Please vote in favor of HB 174. Sincerely, Mary Lacques P.O. Box 14 Hale'iwa HI 96712

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 10:23 AM  
**To:** CPCtestimony  
**Cc:** Alohapap@aol.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Paula Cohen	Individual	Support	No

Comments: We have the right to know what we are eating!

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HOUSE HEARING  
Committee on Consumer Protection and Commerce  
Wednesday, February 13, 2013  
2:30PM, Auditorium  
State Capitol, 415 South Beretania Street

**Testimony OPPOSING HB174 HD1**  
Relating to Food Labeling

Aloha Chair McKelvey, Vice Chair Kawakami and Respected Committee Members:

**I strongly oppose HB174 HD1.**

More than 16 years of research by some of the most credible scientific organizations in the world - The American Medical Association, the European Union Commission, the Swiss National Science Foundation, and the World Health Organization - have all confirmed that there is "no danger" to human health or the environment in the use of genetically engineered crops.

Since government mandated labeling by the US Food and Drug Administration is based solely on the health and safety of the product, there is simply no scientific justification to label GMO foods.

Appropriately – the FDA retains responsibility for labeling because they have the resources and expertise to properly implement costly changes in US food labeling policies.

During these tough economic times with competing priorities and budget restrictions, it is fiscally irresponsible for the counties or even states to duplicate what is already regulated by the federal government.

According to a recent study by Colorado State University, the cost of mandatory labeling could be as high as 10 percent of a consumer's annual food bill.

For the people who oppose GMO foods - for lifestyle, ideological or even religious beliefs - they can continue to purchase higher priced organically labeled or all-natural foods found at most grocery stores today which affirmatively addresses their "right to know" concerns.

Ironically - after analyzing forty years of data to determine whether organic foods provide additional health benefits, Stanford University scientists recently concluded that organic fruits and vegetables are generally no more nutritious or healthy than their conventionally-grown counterparts despite claims by proponents and growers.

For those of us who are struggling to put food on the table, we can be assured that the majority of food grown conventionally or genetically engineered will remain affordable

because the unnecessary and costly labeling mandates whose only purpose is to stigmatize our food choices will be avoided.

Labeling GM foods would mean added costs for Hawaii's consumers. Our state already leads the nation in the price of food – up to 40 percent higher on some products. Labeling will drive up costs even further.

Sincerely,

Lawrence K. Lasua  
Kalamaula Homesteader, Molokai  
P.O. Box 544  
Kaunakakai, HI 96748



**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 10:39 AM  
**To:** CPCtestimony  
**Cc:** csuzuki@wm.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Crystal Pembroke	Individual	Comments Only	No

Comments: Label GMO, we do not want GMO on our Island the least we can do is have labels. We are using our children as science experiements!!!!

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HOUSE HEARING  
Committee on Consumer Protection and Commerce  
Wednesday, February 13, 2013  
2:30PM, Auditorium  
State Capitol, 415 South Beretania Street

**Testimony OPPOSING HB174 HD1**  
Relating to Food Labeling

Aloha Chair McKelvey, Vice Chair Kawakami and Respected Committee Members:

**I strongly oppose HB174 HD1.**

More than 16 years of research by some of the most credible scientific organizations in the world - The American Medical Association, the European Union Commission, the Swiss National Science Foundation, and the World Health Organization - have all confirmed that there is "no danger" to human health or the environment in the use of genetically engineered crops.

Since government mandated labeling by the US Food and Drug Administration is based solely on the health and safety of the product, there is simply no scientific justification to label GMO foods.

Appropriately – the FDA retains responsibility for labeling because they have the resources and expertise to properly implement costly changes in US food labeling policies.

During these tough economic times with competing priorities and budget restrictions, it is fiscally irresponsible for the counties or even states to duplicate what is already regulated by the federal government.

According to a recent study by Colorado State University, the cost of mandatory labeling could be as high as 10 percent of a consumer's annual food bill.

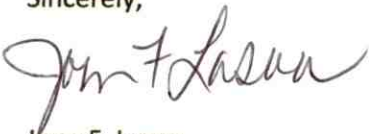
For the people who oppose GMO foods - for lifestyle, ideological or even religious beliefs - they can continue to purchase premium priced organically labeled or all-natural foods found at most grocery stores today which affirmatively addresses their "right to know" concerns.

Ironically - after analyzing forty years of data to determine whether organic foods provide additional health benefits, Stanford University scientists recently concluded that organic fruits and vegetables are generally no more nutritious or healthy than their conventionally-grown counterparts despite claims by proponents and growers.

For those of us who are struggling to put food on the table, we can be assured that the majority of food grown conventionally or genetically engineered will remain affordable because the unnecessary and costly labeling mandates whose only purpose is to stigmatize our food choices will be avoided.

Labeling GM foods would mean added costs for Hawaii's consumers. Our state already leads the nation in the price of food – up to 40 percent higher on some products. Labeling will drive up costs even further.

Sincerely,



Joan F. Lasua  
P.O. Box 544  
Kaunakakai, HI 96748

**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 11:00 AM  
**To:** CPCtestimony  
**Cc:** bigwavetomatoes@gmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeanne Vana	North Shore Farms LLC	Comments Only	No

Comments: SUPPORT.(Correction to Testifier position recorded) Consumers Right to know what changes have been made to their food they otherwise knew. We are in the age of information and biotech companies should stand by their product. If advocates of the whole food industry are engaged and support changes that require food origin traceback due to fda, FSMA, food safety regulation, it should be reasonable to label.

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MICHELE FINLEY  
P.O. BOX 1681  
KAUNAKAKAI, HI 96748

HOUSE HEARING  
Committee on Consumer Protection and Commerce  
Wednesday, February 13, 2013  
2:30PM, Auditorium  
State Capitol, 415 South Beretania Street

**Testimony OPPOSING HB174 HD1**  
Relating to Food Labeling

Aloha Chair McKelvey, Vice Chair Kawakami and Respected Committee Members:

**I strongly oppose HB174 HD1.**

- **GMO CROPS ARE SAFE AND NO DIFFERENT:** The FDA has determined that where genetically-modified crops don't differ from non-GM crops, that products containing them don't have to be labeled. FDA does require the product to be labeled if the ingredient is a potential allergen, or somehow changes the nutritional properties of the food. To date, no approved biotech crop is either an allergen, or has any significant nutritional differences from non-GM counterparts.
- **UNDERMINE LABELING LAWS AND CONSUMER CONFIDENCE:** Requiring labeling for ingredients that don't pose a health issue would undermine both our labeling laws and consumer confidence.
- **MANDATORY LABELING WOULD BE COSTLY:** Ensuring that such labeling is accurate would also put a huge burden on state regulatory agencies.
- **VOLUNTARY LABELING ENSURES CONSUMER CHOICE:** Individuals who make a personal decision not to consume food containing GM ingredients can easily avoid such products. In the U.S., they can purchase products that are certified as organic under the National Organic Program. They can also buy products which companies have voluntarily labeled as not containing GM ingredients. The law allows for voluntary labeling so long as the information is accurate, truthful and avoids misleading consumers about the food.

Respectfully submitted,

Michele Finley, M.P.H.

**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 11:14 AM  
**To:** CPCtestimony  
**Cc:** david.k.makaiwi.iii@monsanto.com  
**Subject:** \*Submitted testimony for HB174 on Feb 13, 2013 14:30PM\*

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David k. Makaiwi iii	Individual	Oppose	No

Comments:

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 11:21 AM  
**To:** CPCtestimony  
**Cc:** 808kealia@gmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kapana Thronas-Kahoonei	Individual	Support	No

Comments: I would like to know what my family is eating, be pono!

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## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 11:27 AM  
**To:** CPCtestimony  
**Cc:** justingcole@yahoo.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
justin	Individual	Support	No

Comments: We have the right to know what we are putting into our bodies! I demand that this bill be passed! It is criminally negligent to do otherwise. This is about our health, and the health of our state's children. We must take action and exercise our our right to be informed. The only group that benefits from not labeling are the companies that fear losing business. That is not a reason to suppress the truth! Why are they afraid of losing revenue if GMO's are safe. The fact is, we don't know if they are safe, and neither do they, so until proper testing is done, they "will" lose revenue if they choose to participate in the use of GMO. I am not a Guinea Pig. Given the choice, I will never consume GMO. Please, pass this bill and support my freedom to choose. It is why we love our great country!

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## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 11:28 AM  
**To:** CPCtestimony  
**Cc:** drmlsukyo@yahoo.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM  
**Attachments:** CRIIGEN Study Links GM Maize and Roundup to Premature Death and Cancer.webloc

### HB174

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dr Melissa L Yee		Support	No

Comments: Epigenetics is the study of the effects of the environment in the form of food, water, air on humans and how genes can be turned on and off by consumption or exposure to the above. We are witnessing an increase of health problems in our youth as well as adults which puts a greater burden on individuals as well as health care and management systems. We know that animals eating GMO develop reproductive and digestive problems, as seen in the 2 year study attached. If not the process then certainly the long term consumption of chemicals is harmful to animals, humans and other living entities. It is your duty to protect the consumer and we urge you to support us in labeling these GMO foods so that we can determine for ourselves what we will buy and what we will eat and feed our children. Mahalo for your support. Dr Melissa L Yee Seeds of Truth

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 11:30 AM  
**To:** CPCtestimony  
**Cc:** lisamaliayang@gmail.com  
**Subject:** \*Submitted testimony for HB174 on Feb 13, 2013 14:30PM\*

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lisa Yang	Individual	Support	No

Comments:

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HOUSE HEARING  
Committee on Consumer Protection and Commerce  
Wednesday, February 13, 2013  
2:30PM, Auditorium  
State Capitol, 415 South Beretania Street

**Testimony OPPOSING HB174 HD1**  
Relating to Food Labeling

Aloha Chair McKelvey, Vice Chair Kawakami and Respected Committee Members:

I am respectfully submitting testimony in opposition to HB174 HD1

Please consider the following:

- Since government mandated labeling by the US Food and Drug Administration is based solely on the health and safety of the product, there is simply no scientific justification to label GMO foods.
- Appropriately – the FDA retains responsibility for labeling because they have the resources and expertise to properly implement costly changes in US food labeling policies.
- Ironically - after analyzing forty years of data to determine whether organic foods provide additional health benefits, Stanford University scientists recently concluded that organic fruits and vegetables are generally no more nutritious or healthy than their conventionally-grown counterparts despite claims by proponents and growers.
- Labeling GM foods would mean added costs for Hawaii's consumers. Our state already leads the nation in the price of food – up to 40 percent higher on some products. Labeling will drive up costs even further.
- During these tough economic times with competing priorities and budget restrictions, it is fiscally irresponsible for the counties or even states to duplicate what is already regulated by the federal government.
- For the people who oppose GMO foods - for lifestyle, ideological or even religious beliefs - they can continue to purchase premium priced organically labeled or all-natural foods found at most grocery stores today which affirmatively addresses their “right to know” concerns.
- Genetically engineered (GE) foods are proven to be safe. There is a plethora of supportive peer reviewed scientific data, presented by reputable sources and published in highly regarded scientific journals. Peer review is a critical, but too often overlooked fact in the discussion of GE foods. Scientific bodies including the American Medical Association, the National Academy of Sciences and the World Health Organization, have found biotechnology to be as safe as and, in some cases, safer than conventional breeding. There have been no substantiated claims that GE foods are harmful to consumers in decades of use, with over two trillion servings of biotech foods consumed publicly. There is no scientific justification for mandatory labeling, and is why the FDA does not mandate blanket labeling of bioengineered foods.

I would appreciate your support in helping to stop the fear-mongering efforts of a few. We need to focus on the real problem of feeding a growing global population and a growing Hawaii. Biotechnology has proven to not only be safe, but increase yields and reduce pesticide use around the world. Labeling would only cause consumer confusion and increased cost for Hawaii's already struggling families.

I respectfully ask that you oppose HB174 HD1

Respectfully Submitted,

Dustin Cole  
PO Box 37  
Kaunakakai, HI 96748

HOUSE HEARING  
Committee on Consumer Protection and Commerce  
Wednesday, February 13, 2013  
2:30PM, Auditorium  
State Capitol, 415 South Beretania Street

**Testimony OPPOSING HB174 HD1**  
Relating to Food Labeling

Aloha Chair McKelvey, Vice Chair Kawakami and Respected Committee Members:

I am respectfully submitting testimony in opposition to HB174 HD1

Please consider the following:

- More than 16 years of research by some of the most credible scientific organizations in the world - The American Medical Association, the European Union Commission, the Swiss National Science Foundation, and the World Health Organization - have all confirmed that there is "no danger" to human health or the environment in the use of genetically engineered crops.
- Appropriately – the FDA retains responsibility for labeling because they have the resources and expertise to properly implement costly changes in US food labeling policies.
- Ironically - after analyzing forty years of data to determine whether organic foods provide additional health benefits, Stanford University scientists recently concluded that organic fruits and vegetables are generally no more nutritious or healthy than their conventionally-grown counterparts despite claims by proponents and growers.
- Labeling GM foods would mean added costs for Hawaii's consumers. Our state already leads the nation in the price of food – up to 40 percent higher on some products. Labeling will drive up costs even further.
- For the people who oppose GMO foods - for lifestyle, ideological or even religious beliefs - they can continue to purchase premium priced organically labeled or all-natural foods found at most grocery stores today which affirmatively addresses their "right to know" concerns.

I respectfully ask that you oppose HB174 HD1

Respectfully Submitted,

Steven Giffen  
HC1 Box 231B  
Kaunakakai, HI 96748

## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 11:52 AM  
**To:** CPCtestimony  
**Cc:** alexandramenzies@yahoo.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alexandra	Individual	Support	No

Comments: I am 100% against the use of GMOs in agriculture and I do not eat anything that is made from GMOs. I pray that GMO foods will soon become a thing of the past. But for now, I demand labeling of GMOs used in foods so I can make a free choice whether or not I want to put that poison in my body or not. I only put what god made into my body, nothing else! Thank you for hearing me. ~Please look at these 2 short videos of Rep. D.Kucinich as he explains Americans Demand GMO Labeling; <http://www.youtube.com/watch?v=XaAzB37gZr4> And look at this as well please; <http://www.youtube.com/watch?v=QxpH9wBt0fM> [http://www.youtube.com/watch?v=4J\\_YvtbSSqg](http://www.youtube.com/watch?v=4J_YvtbSSqg)

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## TESTIMONY

**HD 174, HD1**  
In opposition

### COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Angus L.K. McKelvey, Chair  
Rep. Derek S.K. Kawakami, Vice Chair

Chairperson Rep. Angus L.K. McKelvey  
and Committee Members

I speak in opposition to this bill due to the fact there is no scientific evidence of the need for this unnecessary labeling requirement that will only serve to increase the Hawaii consumers' food costs. It would require additional packaging costs for no known reason except to differentiate it from organic food, which is already being done with organic food labeling. Thus, this bill is only redundant and not required.

This GMO labeling cost would also diminish the availability of various fresh foods to the Hawaii consumer, since the Hawaii market is so small, that special labeling just to ship to Hawaii would not be worth the trouble. Which would add increased costs to our food products by reducing availability of multiple food products.

This type of unneeded legislation, based only on the right-to-know, and not safety or nutrition, may initiate other types of unnecessary and costly labeling, such as the type of fertilizer used in organic food production.

Should Hawaii have required labeling on chicken manure, cow manure, or pig manure on organic labels? If it's my right-to-know about harmless scientific testing of GMO's, I guess we should also know about organic fertilizer used, since they carry bacteria that cause human diseases.

In summary, the Committee must not pass out of committee, unneeded and costly legislation that would increase the Hawaii consumers food costs.

Respectfully submitted,

Don R. Gerbig  
6 Tulip Place  
Lahaina, HI 96761  
Telephone 669-6463

## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 12:28 PM  
**To:** CPCtestimony  
**Cc:** waioli2@hawaiiintel.net  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
chris kobayashi	Individual	Support	No

Comments: i am in support of labeling ge foods. it however needs to be be reammended so it includes ge food produced in hawaii as well. (as written, there may be legal issues). if gmo papayas are so good lets be proud to label it.

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 12:45 PM  
**To:** CPCtestimony  
**Cc:** molokaipeaches@gmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alicia	Individual	Oppose	No

Comments: Ridiculous! Whether the labels are there or not, people have been eating the foods that will require NEW labels, increased cost by suppliers and increased cost to the consumer! 80% of the foods we eat will now have needless labeling to fit on the container. GMO is not an ingredient; it is a PROCESS that is working to save the world from future hunger...nothing new, been around for 30+ years! Waste of our taxpayers' time and money!!

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 1:07 PM  
**To:** CPCtestimony  
**Cc:** Hkuntz@my.hpu.edu  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Haley	Individual	Support	Yes

Comments: No more GMO! I do not wish to see your children eating e coli waste from engineered creatures eating dinosaurs.

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## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 1:51 PM  
**To:** CPCtestimony  
**Cc:** kgma1956@gmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mark Kijima	Individual	Oppose	No

Comments: Dear Chair Angus L.K. McKelvey and Committee Members: I am testifying in opposition of HB 174 HD1 and urge the committee to hold this measure. My name is Mark Kijima. I own a small farm on Maui. I have served as the chairman of the Kula Agricultural Park Committee, an advisory committee to the County of Maui and also as vice-chairman of the Hawaii Farm Bureau Federation's Environmental Stewardship Committee. I have also served on the Governor's Advisory Committee on Pesticides. The HB 174 HD1 labeling requirement is an expensive, unnecessary burden to ALL consumers in Hawaii. There is no scientific justification for special labeling of any products as Genetically Engineered. It is poor public policy to allow fear mongering to confuse the fact that years of peer-reviewed scientific studies and evaluations by regulatory agencies and universities have consistently shown that genetically modified crops are safe and do NOT differ from non-GM crops. If it is a matter of choice, those who choose non-GM foods can always choose certified organic products as the organic produce industry has chosen to exclude genetically modified crops from their certification standard. This labeling requirement is an unnecessary and unneeded burden on agricultural producers, business owners and will add an unnecessary cost to the majority of consumers. Again, I urge that you hold this measure. Thank you for this opportunity to present this testimony.

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 1:53 PM  
**To:** CPCtestimony  
**Cc:** kula96712@gmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kirsten garrabrant	Individual	Support	No

Comments: Please label GMO foods in Hawaii. We have a right to know what we are eating.

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**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 1:57 PM  
**To:** CPCtestimony  
**Cc:** scottcooney75@gmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Scott Cooney	Individual	Support	No

Comments: I strongly urge passage of HB 174. Rich folks can avoid GMOs by buying organic, but poor folks don't generally have that option. I believe GMO ingredients need to be labeled because everyone should have the right to choose what food they eat and feed their children, not just the rich.

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Aloha Representative Chair McKelvey, Vice Chair Kawakami and CPC members.

My name is Lori Nakamura-Higa and I support **HB174 HD1: Genetically Engineered Organisms; Produce; Labeling; Import – requesting amendments inclusive to all Genetically Engineered Organisms or Genetically Modified Organisms, GMOs on all foods and feeds.**

I'm one in millions of moms across America that has joined the ranks of those that had to be self-educated about what's been added to our foods for over seventeen years. I just found out about GMOs on my own several months ago. While doing my own research, weighing in the pluses & minuses about GMOs, the feeling I had was that I was hit by a freight train & I didn't even see it coming.

Nobody persuaded me to be here today. Nobody is paying me for what to say or to tell you what I think. I am here on my own accord; paying for my own parking and sacrificing my own time when I would much rather be spending this time working on family projects and activities. But it's my motherly instincts that have compelled me to be here today because it's that important to me as a mom. I may not be perfect at it, but I'm trying my best and this stumbling block of concealing GMOs has made my daily challenges more complicated. I've spent countless hours and days calling and emailing manufacturers inquiring whether their products contain GMOs. Very time consuming, very frustrating as a mom and a whole lot of wasted time.

I've always been an avid label reader, choosing what I deemed nutritious to eat for my family and what I want to pay for. It already mattered to me, who manufactured the foods, how it was made, or where the foods originated from and if I decided not to buy a product then this is my right to choose or so I thought, only to find out I was so wrong.

As a mom I don't care about the GMOs' desires to convince me or anyone that their privately owned patented invented foods are "Substantially Equivalent," or of the, "same nutritional value," as other foods. This is not the issue here, this discussion does not matter. It's their unethical practices of the way they go about handling everything they've invented. If there's any negative connotation attached to their names, it's because they've brought it on themselves and they not others need to take responsibility or kuliana for it. There is a GMO created Pandora box of problems let loose all over the world for many years every where they go and everything they touch. That is the real issue and this is the issue that's before you today.

Among the GMO self-generated plethora of problems and the joint efforts of food manufacturers, there's been a breach of discriminating injustice and a violation of civil rights carried out on all of us Americans, and as Hawaii citizens and you have the power to make this discrimination stop and we need your to help make it stop. They telling all of us that we don't have to know are like telling all of us to go sit in the back of the bus because we said so and that's where we belong. This is absolutely discriminatingly, barbaric and degrading and it has no place here in this day and age.

Kellogg's, General Mills, Coca Cola, Del Monte, Campbell's, Hormel and the list goes on and on. They have labeled their GMO products for years for billions of consumers worldwide. So this isn't something new to them; they've been accustomed to doing this and they've already had the mechanisms in place for many years and yet they don't have to extend this courtesy to us when we ask for it? Billions of other consumers get to have that right to know what's in their foods, but not us? We eat these same foods as billions of other consumers from these same manufacturers yet they don't have to label the GMO foods that they manufacture for us?

Do you see the injustice, the discrimination, and the violations of our rights? Do you see the disparity? Do you see it for what it is? Billions of consumers can sit anywhere they want on this GMO bus, but we as American consumers are not part of this elitist group and are being forced to sit in the back of this same GMO bus. What happened to our civil rights to choose over seventeen years ago? A blatant renegeing of our rights to choose is what happened.

And then there is the "paid farmer" who to tell you of the fears of soaring prices that GMO labeling would have on the poor and it would be unfair to do this to them. Where's the proof that labeling products containing GMOs correlates with the poor not being able to buy foods because of the 40% increase in food prices demonstrated in these other countries that have GMO food labeling?

Well, the actual rise in price of labeling GMOs in countries like the European Community has only increased less than two, tenths of one percent [1]. Mr. David Byrne, European Commissioner for Health and Consumer Protection has stated, "It did not result in increase costs, despite the horrifying (double digit) predictions of some interests" [2]. And Professor Chris Viljoen, GMO Testing Laboratory, University of the Free State, South Africa confirms that, "There has never been a documented report that genetic modification labeling has led to a cost increase in food anywhere...[i]f consumer rights are truly autonomous, genetic modification labeling should be no exception" [3]. Again, where are our truly autonomous rights?

Labeling has always been a part of packaging costs. Labels change all the time without exorbitant price hikes. We've seen this when, "New and improved," or "Now with No High Fructose Corn Syrup," is added to a label and yet I've never heard anyone say, "Ho, they've labeled the Country of Origin on foods a few years ago and now I'm going to starve because food cost a whopping 40% more now!"

The same "paid farmer" will also tell you that labeling will discriminate against the small local farmers here in the islands. The only ones growing GMOs are the associates and employer of this "paid farmer" that's conveying this to you in the first place and the real small GMO farmers already extend GMO labeling courtesies on the papayas that they grow and ship to our sister cities of Japan with a population of over 127 million. If they can GMO label for 127 million other consumers at a cost of less than two, tenths of one percent, they can surely do it for us.

Ask the “paid farmer” if they cared about the 144 American farmers they sued and the several hundreds of farmers they litigated against and settled for not keeping their invaded private property invented foods to themselves by contaminating these farmers’ farmlands.[4] So who forced financial hardship and loss of livelihood on those local farmers in their own communities? This is not just a less than two, tenths of one percent loss to these farmers. Has anyone quantified the sum total loss of hard earned monies, time loss of growing foods, loss of livelihood, loss of quality of life, loss of passed down time-honored farming that was forced on these farmers times the quantity over one thousand.[4] Not to mention the opportunity loss benefits on foods that could’ve been grown to feed the impoverished while our American farmers were force to learn patent laws 101 in our courts when they should be doing what they do best. And our farmers are still fighting this invented trespassing problem today as we speak.

Ludicrous, unethical, discriminating excuses, when all that’s being asked here is to give us the same courtesy of what billions of other consumers around the world already have. Please don’t continue to buy into these manipulating, distorting, discriminating barbaric practices as it will only get worse with each passing year as mothers like me discover later on that they too have been stripped for many years of their truly autonomous rights in making an informed choice over the foods that they pay for and when they find out who the instigators are that’s behind all of this.

As moms we teach our children to keep their hands and keep all their body parts to themselves and don’t make trouble. This is extending respect and common courtesy or what we all know as the aloha spirit. These unlabeled GMO, privately owned invented foods are disrespecting, invading and trespassing into my body, my child’s body, my families’ and everyone else’s here and out there that wishes not to be violated and trespassed in this manner. This is not right. This is not pono. This is not the aloha spirit. As a mom I would like them to keep their privately owned invented food properties to themselves.

You have the power to make this violation of trouble making trespassing and discrimination stop. All we’re asking here is what the billions of consumers have in other countries; it’s what food manufacturers have already been doing for years for others. We’re being treated like out casted surfs. Place us all especially us moms on the same level playing field as others across this earth when it comes to GMO labeling. Please see it for what it is and please stop this injustice. Please help.

I’d like to leave you with some NOT genetically modified foods for thought. Albert Einstein is quoted as saying:

“No problem can be solved by the same level of consciousness that created it.”

“The world is a dangerous place to live; not because of the people who are evil, but because of those who look on and do nothing.”

"Any intelligent fool can make things bigger and more complex...It takes a touch of genius -- and a lot of courage -- to move in the opposite direction."

So as a mom I'm asking you to put on your genius caps and take the courage and move in the opposite direction by reinstating our autonomy rights that was stripped away from us because of the introduction of GMOs into our foods. Allow for the common courtesy of aloha that's bestowed upon billions of other consumers worldwide by simply, simply labeling all GMO foods with a zero percent thresholds on all human foods and animal feeds like China. If China's one billion plus citizens have these rights preserved, so should we.

I am most grateful for this opportunity and more over, respectfully grateful for your time. This month Rosa Parks would have turned 100 years old. Begs one to question, what Rosa would've said about the injustice inequities over the intentional absence of GMO labeling with respect to all of us who are forced to sit all the way in the back of this GMO bus. Rosa would go – LABEL GMOs! Thank you very much.

#### References

- [1] <http://www.youtube.com/watch?v=Lni6OAJz3sk&feature=share>
- [2] [http://ec.europa.eu/dgs/health\\_consumer/library/speeches/speech114\\_en.pdf](http://ec.europa.eu/dgs/health_consumer/library/speeches/speech114_en.pdf)
- [3] <http://www.bdlive.co.za/articles/2011/02/03/genetic-labelling-claims-wrong>  
<http://www.youtube.com/watch?v=iC7Jv5khpmY>
- [4] [http://www.centerforfoodsafety.org/wp-content/uploads/2013/02/Seed-Giants\\_final.pdf](http://www.centerforfoodsafety.org/wp-content/uploads/2013/02/Seed-Giants_final.pdf)

**kawakami2 - Rise**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 2:16 PM  
**To:** CPCtestimony  
**Cc:** agentmariaonkauai@hotmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

**HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Maria Hacker	Individual	[REDACTED]	No

Testifier made a mistake- called in to change "oppose" to "support"

Comments: I am requesting that we, the consumer & tax paying citizens of Hawaii have the right to know whether or not there is GMO in the products/ food we are purchasing. Please label the GMO products with GMO labels. GMO has been banned in countries where the peoples health is more sacred than wealth. We have the right to know if the pesticides being used are going over the allowed rate of use. This information should be available to citizens of this state- The aggressive amounts of pesticides needed to grow GMO is destroying the land for the future generations. Shame on GMO. NO GMO.

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## kawakami2 - Rise

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 12, 2013 2:30 PM  
**To:** CPCtestimony  
**Cc:** mauinko@gmail.com  
**Subject:** Submitted testimony for HB174 on Feb 13, 2013 14:30PM

### **HB174**

Submitted on: 2/12/2013

Testimony for CPC on Feb 13, 2013 14:30PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marirai Tauotaha	Individual	Support	No

Comments: All Americans value our freedom, especially our freedom to choose what we put into our bodies. Not having labels inhibits my ability to choose what I put into my body. Plan and simple, label all foods. Thank you for your time.

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## kawakami2 - Rise

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**From:** Wendee Wilson on behalf of Rep. Angus McKelvey  
**Sent:** Tuesday, February 12, 2013 8:45 PM  
**To:** kawakami2 - Rise  
**Subject:** FW: SAY NO to GMO - please label it ALL so that people who don't want to eat it don't have to.

*Wendee J. Wilson  
Office Manager  
Representative Angus L. K. McKelvey  
District 10: West Maui, Maalaea, North Kihei  
State Capitol, Rm. 427  
Ph: (808) 586-6160  
Fax: (808) 586-6161  
Email: [w.wilson@capitol.hawaii.gov](mailto:w.wilson@capitol.hawaii.gov)*

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From: Janet Murray [mailto:[jemray@hawaii.rr.com](mailto:jemray@hawaii.rr.com)]  
Sent: Tuesday, February 12, 2013 12:55 PM  
To: Rep. Angus McKelvey  
Subject: SAY NO to GMO - please label it ALL so that people who don't want to eat it don't have to.

Aloha Angus

It's easier than ever to forget we live in a 'free' country.

Doesn't seem real to have to ask to have these non foods labeled so we can avoid eating them.

What seems pono to you?

Please protect our freedom. Please make laws that require ALL GMO foods to be labeled.

For the good for seven generations.

Thank you

Janet Murray