



## **Media Resources for Congressional Hearing on GE Labeling**

Washington D.C. (December 10, 2014) – Center for Food Safety (CFS) is releasing information to help prepare members of the media and the general public for a Congressional hearing examining the Food and Drug Administration's role in the regulation of genetically engineered foods.

The Health subcommittee of the Energy and Commerce Committee will convene at 10:15 am ET on Wednesday December 10, 2014 in 2123 Rayburn House Office Building. The subcommittee will also discuss competing proposals; H.R. 4432, the Safe and Accurate Food Labeling Act of 2014 and H.R. 1699, the Genetically Engineered Food Right-to-Know Act.

### **Background:**

In 1992, the Food and Drug Administration (FDA) wrote in a policy statement that genetically engineered foods (GE or GMOs) were not “materially different” from regular foods. In that policy statement, the agency severely limited what it considered “material” to only changes in food that could be recognized by taste, smell, or other senses, referred to as “organoleptic” changes. This decision was also made years before any GE foods were sold commercially.

Two decades later, people care more about what is in their food than merely what they can taste, touch, smell or feel. Animal cruelty, climate impacts, pesticide use and production matter deeply to consumers. In the absence of labeling, consumers can be deceived about what’s in the food they are buying and feeding their families.

Consumers have differing opinions about the relative safety of the process, the product and the pesticides involved with GE crops. Unfortunately, people in America don't get to make an informed choice. Unlike [64 countries around the world](#) including the member countries of the European Union, Russia, China, Australia and South Korea, the United States does not require the mandatory labeling of GMOs.



In the absence of a federal standard, states have taken the lead. In [2013-2014](#), over 60 bills were introduced in more than 20 states across America. Despite the fact that polls consistently show that over 90% of people support labeling, corporate backed campaigns have managed to stymie the will of the people at the ballot box through confusion tactics and propaganda campaigns. (89% of Republicans, 90% of Independents and 93% of Democrats [favor GMO labeling in the U.S.](#)) In just four states where labeling has been presented as a ballot initiative – corporations like Monsanto, Dow Chemical and multinational food companies, have spent over [\\$100 million](#) to defeat the public's right to know.

After corporations spent nearly [\\$21 million](#) in the most expensive state initiative in Oregon history, the vote there is still too close to call. With over 1.5 million votes cast, there is only a difference of 812 votes. The state is now engaged in a [mandatory recount](#).

Oregon would be the fourth U.S. state to require GE labeling. Connecticut and Maine each passed GE labeling laws in 2012, but both bills include a trigger clause requiring several other states to also pass labeling bills before their laws can be implemented. This year Vermont became the first state to pass a no-strings-attached labeling law, which is set to go into effect in 2016.

At the hearing, Members of the Subcommittee will discuss competing proposals to provide national uniformity of GE labeling laws. H.R. 4432, the Safe and Accurate Food Labeling Act of 2014, would make permanent a flawed voluntary system while preempting states from passing locally appropriate legislation. H.R. 1699, the Genetically Engineered Food Right-to-Know Act, would create uniformity with a mandatory labeling system. Additional detail comparing the systems is available [here](#).

### **H.R. 4432, the Safe and Accurate Food Labeling Act of 2014**

The so-called Safe and Accurate Food Labeling Act of 2014 was introduced by Representative Mike Pompeo (R-KS) on April 9, 2014. It has been dubbed the "[Denying Americans the Right-to-Know](#)" (DARK) Act, as it would simultaneously prevent mandatory federal labeling and deny states the right to enact their own labeling legislation. It has 37 cosponsors.



Elected in 2010, Representative Pompeo was the [single largest recipient of funds from Koch Industries](#). He's also received [thousands of dollars](#) from Monsanto, the Biotechnology Industry Organization and tens of thousands from the Grocery Manufacturers Association - which has spent over \$67 million to keep consumers in the dark about GMOs.

### **H.R. 1699/S. 809, the Genetically Engineered Right-to-Know Act**

The Genetically Engineered Right-to-Know Act has been introduced in the House and the Senate by Congressman Peter DeFazio and Senator Barbara Boxer. Supported by 63 Representatives and 17 Senators, this common sense bill directs the Food and Drug Administration to enact a federal, mandatory GMO labeling policy using its existing regulatory framework for food labeling that would guarantee all Americans the right to know what is in their foods. 1.4 million people have written the agency in support of labeling.

#### **Witnesses:**

**Panel 1:** *Michael M. Landa, Director, Center for Food Safety and Applied Nutrition (CFSAN), U.S. Food and Drug Administration.*

Director Landa will retire at the end of the year. He has served as FDA's deputy chief counsel (2000-2004), FDA's acting chief counsel (2001; 2009-2010), and deputy director for regulatory affairs of CFSAN (2004-2010).

**Panel 2:** *Alison Van Eenennaam, PhD, Cooperative Extension Specialist, Animal Genomics and Biotechnology, Department of Animal Science, University of California, Davis;*

Dr. Van Eenennaam is an advocate for genetically engineered foods who opposes labeling. A former employee and project leader of Monsanto, Dr. Van Eenennam served on the FDA's Veterinary Medicine and Advisory Committee. She has spoken frequently to the media against labeling citing increased cost to consumers despite [studies](#) showing the labeling will not increase costs. In 2014, she received the Borlaug CAST Communication Award, which was sponsored in part by DuPont.



*Scott Faber, Senior Vice President of Government Affairs,  
Environmental Working Group;*

Mr. Faber is executive director of Just Label It, a campaign advocating for mandatory labeling of genetically engineered foods. Formerly, Mr. Faber was vice president for federal affairs for the Grocery Manufacturers Association (GMA), which has contributed tens of millions of dollars to defeat labeling initiatives in Oregon, Washington, California and Colorado. GMA is currently engaged in a lawsuit against the State of Vermont for enacting a legally valid and broadly supported measure to require labeling of GE foods.

*Rep. Kate Webb, Assistant Majority Leader, Vermont House of  
Representatives;*

Since joining the legislature in 2009, Representative Webb has served on the House Committee on Fish, Wildlife, and Water Resources and the Lake Shoreland Protection Commission. She was the lead sponsor of the mandatory GE labeling law in Vermont. She is an active member of both University of Vermont's College of Nursing and Health Sciences Board of Advisors and the legislative advisory committee for the New England Board of Higher Education.

*Stacey Forshee, Fifth District Director, Kansas Farm Bureau;*

Mrs. Forshee operates Forshee Farms, a 6<sup>th</sup> generation family farm in Delphos, Kansas. Mrs. Forshee advocates for genetically engineered crops and antibiotics in raising livestock. She is a member of the American Farm Bureau Federation's Partners in Agricultural Leadership Program – a program sponsored by Monsanto. She participated in a national and state press conference call on April 9<sup>th</sup> when Congressman Pompeo introduced HR 4432.

*Tom Dempsey, President and CEO, Snack Food Association.*

The Snack Food Association is currently suing the State of Vermont for enacting a legally valid and broadly supported measure to require labeling of GE foods. The Snack Food Association Political Action Committee has contributed campaign funds to Congressman Pompeo. Mr. Dempsey is the former president of UTZ Quality Foods, and he has previously worked at Dun & Bradstreet, Avon Products and CJ Clark NA.



### **About Center for Food Safety:**

Center for Food Safety has been at the forefront of the policy debate over genetic engineering for a decade and a half. Instrumental in the development of organic standards, CFS provides policy expertise and legal guidance to lawmakers across the country. Center for Food Safety also uses deep legal expertise to use the courts to ensure the safety of our food supply.

In 2011, Center for Food Safety submitted a detailed [legal petition](#) to the FDA on behalf of over 650 companies and organizations that provides a blueprint for enacting a federal labeling standard. The petition examines legal standing as well as urgent need. Approximately 1.4 million consumers have written the agency in support of that petition.

Center for Food Safety also works in support of labeling at the state level. CFS helped draft the Vermont labeling law in consultation with state representatives beginning in 2005. CFS has provided legal testimony, resources, and expert advice in numerous states and counties. CFS also co-authored GE food labeling ballot initiatives in California and Washington. In Oregon, Center for Food Safety was lead author of Measure 92, which is currently undergoing a mandatory hand-recount. CFS's political arm, Center for Food Safety Action Fund, raised over \$1 million to support Measure 92 and helped mobilize thousands of volunteers in Oregon and across the country. CFS previously worked with and provided legal and grassroots support to campaigns in Oregon to ban the planting of GE crops in two Oregon counties, and worked with the State Senate to ban GE canola in the Willamette Valley until 2019.